THE SECOND PART OF THE PRESENT STATE OF England:

Together with

DIVERS REFLECTIONS UPON The Antient State thereof.

By EDWARD CHAMBERLAYNE L. L. D. R. S. S.

The FIFTH EDITION Corrected, and newly Augmented.

In Magnis voluisse sat est——

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To the Right

HONOURABLE,

CHARLES SOMERSET,

LORD HERBERT,

Son and Heir to the moſt Honourable,

HENRY

Lord Marquis of

WORCESTER,

Is humbly Dedicated this Fifth Impreſſion of the Second Part of the *Preſent State of England*, by the *Author*.

TO THE READER.

IN a former ſmall Treatiſe, Intituled, *THE PRESENT STATE OF ENGLAND*,

The Author having given a ſuccinct Account of the *Government* in *General*, as it is *Monarchical*; and therein, of the *King*, *Queen*, *Princes*, and *Princeſſes* of the *Bloud*; of the *Great Officers* of the *Crown*; of the *Kings*, *Queens*, and *Duke* of *Yorks* Courts;

of

of the Three States of *England*, *Clergy*, *Nobility*, and *Commons*, and of divers other remarkables.

In this *Second Part* of the *Present State of England*, he hath endeavoured to describe, with the like brevity, the *Particular Government of England*, *Ec-*

cleſiaſtical, *Civil*, and *Military*: The ſeveral Courts of *Juſtice*, the Offices and Officers belonging thereunto; and (for the ſake of Forreigners) to exhibite a particular Deſcription of the Famous City of *London*, of the two Renowned Univerſities, *&c.*

In

To the Reader.

In erecting ſuch a Spacious and Various Edifice; the Spectator, at firſt view, will hardly conceive how much pains was beſtowed in digging the Foundation, in raiſing Scaffolds, in finding, conveying, and fitting Materials, in contriving the *Architecteure*, in

in removing the Rubbiſh, *&c.* Other *Builders* conſult onely their own Brains, and the Dead, (that is, Books) whereunto acceſs may be had at all hours; but in this *Work*, the Living, and the choiceſt among them, were to be adviſed with; whereof ſome were far

far distant, others seldom at leisure, some unwilling to communicate their Knowledge, others not at all affable.

However, if the *Reader*, reaping in few hours, the Fruits of many Moneths labour, shall receive any content,

the

the Author will not onely be ſatisfied for this, but encouraged for another like Enterpriſe.

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Angliæ Notitia,

OR THE PRESENT STATE OF ENGLAND:

The Second Part.

Of the Government of England *in particular; and First of the Kings most Honourable Privy-Council.*

THe Government of *England* in particular, is either *Ecclesiastical*, *Civil*, or *Military*, wherein the King is supreme Governor in all Causes, and over all Persons; from him is derived all Authority and Jurisdiction. He is *quasi Intellectus Agens*, *Forma formarum*, *vel potius Mundi Anglici Deus*, And the *Primum Mobile*

thereof, from whence all the Inferiour Orbs derive their Motion, is that Noble, Honourable, and Reverend Assembly, called *Concilium secretum, privatum vel Continuum Regis Concilium*, which is a Court of such Antiquity and Honour, that it may be said to be higher than the highest Court of *England* (as the Parliament is usually called) for our Parliaments are not only much younger, but also may truly be said to be the Productions of the Kings Privy-Council, as appears by the words of the Writ for summoning of a Parliament. This is the highest watch-Tower of the Nation, wherein the King, with all his good Centinels and Watchmen about him, takes a careful survey of all his Dominions, and sometimes of all the Dominions of the World, as any of them have any Relation to his, where he Consults and Contrives how to protect his numberless Subjects, not only from Injuries amongst themselves, but from the wrongs and violences of all other Nations, where he doth consult and watch for the publick good, Honour, Defence, Profit, and Peace of all his people.

Before the latter end of *Henry* the Third *Quod previsum fuit per Regem & Concilium suum Privatum sigilloque Regio confirmatum proculdubio legis vigorem habuit*, saith *Spelman*.

The Primitive and ordinary way of Government in *England*, was by the King and his Privy-Council, and all our Kings have

have aided much by it, determining Controversies of great importance, sometimes touching Lands and Rights between party and party, whereof there are very many Precedents, and the Judges of *England* in some difficult cases were not wont to give Judgment, until they had first consulted the King or his Privy-Council. Moreover the Lords and Commons assembled in Parliament, have oft-times transmitted Matters of high Moment to the King and his Privy-Council, as by long experience and wisdom better able to judge of, and by secrecy and expedition better able to transact some State Affairs, than all the Lords and Commons together.

At present, the King and his Privy-Council take Cognisance of few matters that may well be determined by the known Laws and ordinary Courts of Justice, but only, as aforesaid, consult for the publick Good, Honour, Defence, Safety, and Benefit of the Realm, not meddling with matters that concern Freeholds, but matters of Appeal, and sudden emergencies.

The Lords of the Privy-Council are as it were a part of the King, incorporate with him and his Cares, bearing upon their Shoulders that great weight, that otherwise would lie wholly upon his Majesty, wherefore of such high value and esteem they have always been, that if a man did but strike in the House of a Privy-Councellor, or elsewhere in his presence, he was grievously Fined for the same,

and to conspire the death of any of them was made Felony, in any of the Kings Servants within the *Check-Roll*, and to kill one of them was High-Treason.

A Privy-Councellor, though but a Gentleman, shall have precedence of all Knights, Baronets, and younger Sons of all Barons and Viscounts.

The substance of their Oath is, That they shall, according to their Power and Discretion, Truly, Justly, and Evenly, Counsel and Advice the King, in all matters to be Treated in His Majesties Counsel, that they shall keep secret the Kings Counsel, *&c.*

By force of this Oath, and the Custom of the Kingdom of *England*, a Privy Counsellor is made without any Patent or Grant, and to continue only during the Life of the King that makes him, nor so long unless the King pleaseth.

Heretofore there hath been usually a Lord President of the Kings Privy-Council, a Dignity of so high a Repute, that, by a Statute of *Henry* the Eighth, he is to take place in publick, next to the Lord High Treasurer of *England*: His Office was to speak first to business, to report to His Majesty the Passages and State of businesses transacted at Council-Table. The last Lord President was the Earl of *Manchester*, Father of the late Lord Chamberlaine.

To his Privy-Councellors the King of of *England*, may declare or conceal from them

them whatsoever he alone judgeth fit and expedient, *quæ in re* (saith the excellent Sir Tho. Smith) *absolutissimum est hoc Regnum Angliæ pro Venerum Ducatu aut Lacedæmoniorum Principatu.*

The King with the advice of his Privy-Council, doth publish Proclamations binding to the Subject, provided that they are not contrary to Statute or Common-Law.

In cases where the publick peace, honour or profit of the Kingdom may be endangered for want of speedy redress, there the King with his Privy Council usually make use of an absolute power, if need be.

The Members of this most Honourable Council are such, as his own free-Will and meer Motion shall please to choose, and are commonly Men of the highest rank, eminent for Estates, Wisdom, Courage, Integrity, &c. And because there are few cases of moment so temporal, but that they may some way relate to Spiritual affairs, therefore according to the general Rules of Policy and Government, which God himself ordained amongst his chosen people the Jews, the Privy Council, (as well as the great Council of Parliament) is composed of Spiritual as well as Temporal persons, some of the principal Bishops of *England* have in all times been chosen by his Majesty to be of his Privy Council.

The Lords of His Majesties Privy Council, are at present these that follow.

HIs Royal Highness the Duke of *York*.

His Highness Prince *Rupert*.

Gilbert, Lord Archbishop of *Canterbury*.

Heneage Lord *Finch*, Lord Keeper of the Great Seal.

Thomas Earl of *Danby*, Lord High Treasurer.

Arthur Earl of *Anglesey*, Lord Privy Seal.

George Duke of *Buckingham*.

James Duke of *Monmouth*, Master of the Horse.

John Duke of *Lauderdail*.

James Duke of *Ormond*, Lord Steward of the Household.

Henry Marquis of *Worcester*, Lord President of *Wales*.

Henry, Marquis of *Dorchester*.

Henry Earl of *Ogle*.

Thomas Earl of *Ossory*.

Robert Earl of *Lindsey*, Lord Great Chamberlain of *England*.

Henry Earl of St. *Alban* Lord Chamberlain of the Household.

Aubrey Earl of *Oxford*.

John

John Earl of *Bridgewater*.
Robert Earl of *Leiceſter*.
James Earl of *Northampton*.
Henry Earl of *Peterborough*.
Robert Earl of *Sunderland*.
Arthur Earl of *Eſſex*, Lord Lieutenant of *Ireland*.
John Earl of *Bath*, Groom of the Stole.
Charles Earl of *Carliſle*.
William Earl of *Craven*.
Henry Earl of *Arlington*, Principal Secretary of State.
John Earl of *Rothes*.
Alexander Earl of *Kinkardine*.
Richard Earl of *Corbry*.
Roger Earl of *Orrery*.
Thomas Viſcount *Falconberg*.
George Viſcount *Halifax*.
Humphrey Biſhop of *London*.
John Lord *Roberts*.
William Lord *Maynard*, Comptroler of the Houſhold.
Francis Lord *Newport*, Treaſurer of the Houſhold.
John Lord *Berkeley*.
Denzill Lord *Hollis*.
Sir *George Carteret* Knight and Baronet, Vice-Chamberlain to His Majeſty.
Henry Coventry Eſquire, one of the Principal Secretaries of State.

Ralph Montague Esquire, Master of the Great Wardrobe.

Sir *John Duncomb* Knight, Chancellor of the Exchequer.

Sir *Robert Carr* Kt. and Bar. Chancellour of the Dutchy.

Sir *William Morice* Knight.

Sir *Thomas Chicheley* Knight, Master General of the Ordnance.

Edward Seymor Esquire, Speaker of the House of Commons.

THese are all to wait on His Majesty; and at Council Board sit in their Order, bare headed when His Majesty presides.

At all Debates the lowest delivers his opinion first, that so he may be the more free, and the King last of all declares his Judgment, and thereby determines the matter in Debate.

The time and Place of holding this Council is wholly at the Kings pleasure, but it is most commonly held in the Morning on *Wednesday* and *Friday* out of Parliament time or Term time, and in the Afternoon, in time of Parliament or Term.

A Council is seldom or never held without

out the Presence of one of the Secretaries of State; of whose Office and Dignity much more considerable in *England* than in other Nations, take here this brief Account.

The Kings of *England* had anciently but one Secretary of State, untill about the end of *Henry* the Eighth his Reign, it was thought fit, that weighty and important Office should be discharged by two Persons, both of equal Authority, and both stiled *Principal Secretaries of State*. In those days, and some while after, they sate not at Council Board, but having prepared their business in a Room adjoyning to the Council Chamber, they came in, and stood on either hand of the King; and nothing was debated at the Table, until the Secretaries had gone through with their Proposals. But Queen *Elizabeth* seldom coming to Council, that Method was altered, and the two Secretaries took their places as Privy Counsellors, which Dignity they have retained and enjoyed ever since: and a Council is seldom or never held without the presence of one of them at the least.

Their employment being of extraordinary trust and multiplicity, renders them most considerable both in the eyes of the King, upon whom they attend every day as occasion requires; and of the Subjects also, whose Requests and Desires are for the most part lodged in their hands, to be presented to the King, and always to make dispatches

thereupon, according to His *Majesties* Answers and Directions.

As for Forraign Affairs, the Secretaries divide all the Kingdom and Nations which have intercourse of business with the King of *England*, into two grand Provinces, whereof each Secretary taketh one to himself, receiving all Letters and Addresses from, and making all dispatches to the several Princes and States comprehended within his own Province.

But in all matters of home concern, whether they relate to the publick, or to particular persons, both the Secretaries do equally and indistinctly receive and dispatch whatsoever is brought to them, be it for the Church, the Militia, or private Grants, Pardons, Dispensations, *&c.*

They have this special Honour, that if either of them be a Baron, he taketh place, and hath the precedence of all other persons of the same degree, though otherwise by their Creation some of them might have right to precede him; and a Knight in like manner, if he hath no other qualification.

They have their several Lodgings appointed them in all the Kings Houses, as well for their own Accommodation, as for their Office, and those that attend upon it. They have also a very liberal Diet at the Kings charge, or Board-wages in lieu of it.

To shew how considerable their place is, their setled allowance from the King in Salary

lary and Penſion is little leſs than Two thouſand pounds *Sterling per annum*, to each of them.

The Secretaries and Clerks whom they imploy under them, are wholly at their own choice, and have no dependance upon any other power or perſon beſides themſelves.

They have the Cuſtody of that Seal of the King, which is properly called the *Signet*; the uſe and application whereof, gives denomination to an Office conſtantly attending the Court called the *Signet Office*, wherein there are four Clerks, who wait alternately by Months, and prepare ſuch things as are to paſs the Signet in order to the Privy-Seal, or Great Seal.

The preſent Secretaries of State are,

Henry Earl of *Arlington*, whom for his eminent Services at home and abroad, both in War and Peace, His Majeſty was pleaſed to advance into the place of Sir *Edward Nicholas*.

And *Henry Coventry* Eſquire, who for his great Abilities, and ſucceſsful Negotiations, had that Truſt and Honour conferred upon him, immediately after the Deceaſe of Sir *John Trevor*.

Waiting on the Privy-Council there are Four Clerks in Ordinary, who wait by Months each one, he that comes in, is always a week before and a week after his Month to aſſiſt there.

Their Office is to read what is brought before the Council, and draw up all ſuch

Orders

Orders as the King and Lords shall direct, and cause them to be Registred.

They are these that follow.

Sir *Edward Walker*, Sir *John Nicolas*, Sir *Robert Southwell*, Sir *Joseph Williamson*: Salaries to each 250 *l.* besides Fees for Orders and Letters, *&c.*

Beside the forenamed Officers there is a Keeper of the Records, *Anthony Rider* Esq; no Fee.

Two Keepers of the Council Chamber, Fee to each 45 *l.*

Thirty Messengers, whereof Ten at a time by turns wait every Month, Fee to each 45 *l.*

These upon occasion are sent by Warrant of the Lords of the Privy Council to fetch any Person, under the Degree of a Baron, and to keep him Prisoner in his House till farther order.

Attending on the Secretaries are the Clerks of the *Signet* or *Little Seal*, which is alwayes in the custody of the Secretaries, for sealing the Kings Private Letters, and for all such Grants as pass his Majesties hands by Bill assigned.

Of these Clerks there are four, Sir *John Nicolas* Knight of the *Bath*, Sir *Philip Warwick* Knight, *Trumbal* Esquire, and *Sidney Bearr* Esquire. These have no Fee from the King, but only Diet, which at Pention is 200 *l.* yearly; their Office is in *Whitehall*, they wait by Month, each

each of them three Months in a year. One of them always attend the Court wherefoever it removes, and by Warrant from the King, or Secretaries of State, or Lords of the Council, prepare such Bills or Letters for the King to sign, as not being matters of Law are by any Warrants directed to them to prepare. In their Office, all Grants either prepared by the Kings Learned Council in the Law, or by themselves, for the Kings hand, when signed are returned and there transcribed again, and that transcription is carried to one of the principal Secretaries of State, and Sealed, and then it is called a Signet, which is directed to the Lord Privy Seal, and is his Warrant for issuing out a Privy Seal upon it, which is prepared by the Clerks of that Seal, is sufficient for the payment of any Moneys out of the Exchequer, and for several other uses: but when the nature of the Grant requires the passing the Great Seal, then the Privy Seal is an Authority to the Lord Chancellour to pass the Great Seal as the Signet was to the Lord Privy Seal, to affix that Seal to the Grant, but in all three Offices, viz. Signet, Privy Seal, and Great Seal, the Grant is transcribed. So all which passes from the King hath these several ways of being considered before perfected.

There are also four Clerks of the Privy Seal, viz. Sir *Charles Bickerstaffe* Knight, *John Matthews* Esquire, *Tho. Watkins* Esquire, *John Richards*, Esqs

More

More of their Office is to be seen in *Stat.* 27. of *Henry* 8. worthy to be noted.

To this Office (in time when the Court of *Request* is in being) belongs the Sealing of all Commissions, and other process out of that Court.

Moreover, depending on the Secretaries of State, is an antient Office called the Paper-Office, the Keeper whereof hath in his Charge, all the Publick Papers, Writings, Matters of State, and Counsel, all Letters, Intelligences, Negotiations of the Kings Publick Ministers abroad, and generally all the Papers and Dispatches that pass through the Offices of the two Secretaries of State, which are from time to time transmitted into this Office, and here remain, disposed by way of a Library within His Majesties Palace of *Whitehall*. This considerable Officer hath a Fee of 160 *l. per annum* payable out of the Exchequer, and is at present that very worthy person Sir *Joseph Williamson* Knight.

After the Kings most Honourable Privy Council, that *Primum mobile*, or rather that *Restor Spring*, may be considered the *Great Wheels* first moved by that *Spring* which are the Convocation for the Ecclesiastical Governours, and the *Parliament* for the Civil.

But for the better understanding of the Ecclesiastical Government, it will be expedient to premise somewhat of the Ecclesiastical persons in *England*.

In

IN the Government of the Church of *England*, among the Ecclesiastical persons governing in the *English* Church, is, First the King of *England*, who is as the Lawers say, *Persona sacra & mista cum Sacerdote*. The King is the supreme Bishop of *England*: And at his Coronation, by a solemn Consecration, and Unction he becomes a Spiritual Person, Sacred and Ecclesiastical, for, as he hath put upon him *Crown Regni*, as an Emblem of his Kingship, and power in Temporals; so hath he *Stola Sacerdotis*, commonly called *Vestis Dalmatica*, as a *Levitical Ephod*, to signifie his Priesthood and Power in Spirituals. He is Supreme Governor in all Causes and over all persons *Ecclesiastical* as well as *Civil*, is Patron Paramount of all *Ecclesiastical* Benefices in *England*, to whom the last Appeals in *Ecclesiastical* Affairs are made, who alone hath power to nominate persons for all Bishoprics, and chief Dignities, as Deanries and some Prebends in the Church, *&c.* as more at large may be seen in the first Part of the *Present State of England*.

Next to the King in the Church-Government are the Bishops, wherein two are called *Primates*, *Metropolitans*, or *Archbishops*, that is, Chief Bishops, the one of *Canterbury*, the other of *York*, each of which have besides their own the Diocesses a Province consisting of several Dioceses, and therein by Common Law, a Vi-

Prerogative of proving Wills, and granting Administration, where the person dying had *bona notabilia*, that is, above 5 *l.* in divers *Dioceses* or *Jurisdictions*. Also by Grants of several Kings, they have each one certain Priviledges, Liberties and Immunities in their own Estates.

Under these two Archbishops are 26 Bishopricks, whereof 18 are reckoned in the Province of *Canterbury*, and four in the Province of *York*. So that there are besides the two Archbishops twenty four Bishops; all which have the Title of Lords by reason of their Baronies annext to their Bishopricks, and have precedence of all other Barons both in Parliament, and other Assemblies: amongst these presides always the Bishop of *London*, who by ancient right is accounted Dean of the *Episcopal Colledge* of that Province, and by vertue thereof is to signifie the pleasure of his Metropolitan to all the Bishops of the Province, to execute his *Mandates*, to dispense his *Missives* on all emergency of affairs, to preside in Convocations or Provincial *Synods* during the necessary absence of the *Metropolitan*. Next to *London* in Parliament, precedes *Durham*, and then *Winchester*: all the rest of the Bishops take place according to the Seniority of their Consecrations.

The Function of an *English Bishop* consists in what he may act, either by his *Episcopal Order*, or by his *Episcopal Jurisdiction*.

By

By his *Episcopal Order* he may Ordain *Deacons* and *Priests*, he may Dedicate Churches and Burying Places, may administer the Rite and Ceremony of Confirmation, without whom none of these things may be done.

The *Jurisdiction* of a Bishop is either *Ordinary* or *Delegated*; the *Ordinary*, is what by the Law of the Land belongs to each Bishop, in his own Diocess; the *Delegated*, is what the King is pleased to confer upon him, not as a Bishop, but as he is a Subject; and a considerable Member of the Kingdom: For all Clergymen are in *England* (as anciently among Gods own People the Jews, and amongst the Primitive Christians, so soon as they were under Christian Emperors) judged fit to enjoy divers temporal honours and employments: as,

First, To be in the Commission of the Peace, for who so proper to make and keep Peace as they, whose constant duty it is to preach Peace? who so fit as they, whose main business and study it is to reconcile those that are at variance? and therefore since His Majesties happy Restauration, as well as before, divers grave discreet Divines have been made Justices of Peace, and thereby not only the poor Clergy-men have been protected from the oppression of their causeless Enemies, but many differences have been composed without any Law-suit, in a more Christian and less expensive way.

&c.

Secondly, to be of His Majesties Privy Council, where frequently Cases of Conscience may arise, relating to State Matters, that will admit neither of delay nor publication, and therefore after the pattern of that excellent Christian Emperor *Constantine* the Great; our good Kings both before and since the Reformation, have always admitted some spiritual persons to their Council-Tables, and Closet-Debates.

Thirdly to be employed in Publick Treaties and Negotiations of Peace, and this both the Ancient and Modern Practice will justifie, that none have been more frequently and successfully used in such Messages, than the Ambassadors of Christ.

Fourthly, to enjoy some of the Great Offices of the Crown, as to be *Lord Chancellour*, *Lord Treasurer*, *&c.* And it hath been observed, that in the late Kings Reign, when the Bishop of *London* was *Lord Treasurer*, that Office was executed with as much diligence, faithfulness, dexterity, and content to the Subject, as well as to the King, as ever it had been by any of his late Lay-Predecessors.

In the ordinary Jurisdiction of a Bishop, as a Bishop may be considered, either the *Jurisdiction* it self, or what is inflicted in him by the Law of the Land, for the better execution of that *Jurisdiction*.

The *Jurisdiction* it self is established partly by Statute Law, as to Licence Physitians, Surgeons and School-Masters, to assist

unite and consolidate small Parishes, to assist the Civil Magistrates in the execution of some Statutes concerning Ecclesiastical Affairs, to compel the payment of Tenths and Subsidies due from the Clergy to the King.

Partly by Common Law, as upon the Kings Writ to certifie the Judges touching legitimate and illegitimate births and Marriages, to require upon the Kings Writ, the burning of an obstinate Heretick, also to require the Kings Writ for imprisoning the Body of one that obstinately stands excommunicated 40 days.

And partly by Common and Ecclesiastical Law together, as to cause Wills of the Deceased to be proved, to grant Administration of Goods of such as die intestate, to give order for the gathering and preserving of perishable Goods, where none is willing to administer, to cause Account to be given of Administrations, to collate Benefices, to grant Institutions to Benefices upon the Presentations of other Persons, to command Induction to be given, to order the collecting and preserving of the Profits of Vacant Benefices for the use of the Successors, to defend the Priviledges and Liberties of the Church, to visit their particular Dioceses once in three years, and therein to inquire of the Manners, Carriages, Deliquencies, &c. of Ministers, of Church-wardens, of the rest of the Parishioners, and amongst them, especially of those that profess themselves Phy-

Physitians, Surgeons, School-Masters, Midwives; of Wardens of Hospitals, how they perform their several duties and trusts; also of all others professing Christianity, and offending either against Piety, as by Blasphemy, Idolatry, Superstition, Perjury, Heresie, Errors against the 39 Articles, Schism, Conventicles, absence from Divine Service, unlawful abstinence from the Sacraments; or else offending against Justice, as the delaying of Legacies given to the poor or pious uses, Dilapidations of Buildings, or Goods belonging to the Church; taking of Usury beyond the rate allowed by Statute, Simony, Perjury, &c. or by offending against Sobriety, as Drunkenness, Incest, Adultery, Fornication, filthy Speech, tempting of any ones Chastity, Clandestine Marriages, as for want of thrice publishing the Banns, the want of Parents consent, the want of Witnesses, which must be above two, or Marrying in a private place, in an undue time, before eight in the morning, and after twelve of the Clock in the day, &c.

Now for the better executing of this *Jurisdiction*, the Law of *England* hath furnished the Bishops with a power of *Ecclesiastical Censures*, wherein some may be inflicted both upon Laymen and Church Men, as Suspension from entring into the Church, or else from receiving the Sacrament, or greater Excommunications, &c. Others may be inflicted only upon Ecclesiastical Persons, as Segregation

tion of their Ecclesiastical Power, Suspension, sometimes ab Officio, sometimes a Beneficio, Deprivation and Deposition, which is sometimes verbal, by sentence pronounced against them; and sometimes real by Degradation. Here note, that of all these Censures, Excommunication is never inflicted but onely for Contumacy, as when a person being duly summoned, will not appear, or appearing, will not obey the Orders of the Bishop.

The solemn manner of making a Bishop in *England*, is as followeth,

When any Bishops See becomes vacant, the *Dean* and *Chapter* of that *Cathedral* giving notice thereof to the King, who is Patron of all the Bishoprics in *England*, and humbly Requesting, that His Majesty will give leave for them to choose another; the King bestoweth grants to the Dean his *Congé D'Elire*, which in French (wherein it was anciently penned) signifies leave to elect, then the Dean summons a Chapter or Assembly of the Prebendaries, who either elect the person recommended by His Majesties Letters, or shew cause to the contrary. Next the Election is certified to the party Elected, who doth modestly refuse it the first and second time, and if he refuse it a third time, then that being certified to His Majesty, another is recommended; when the Election is accepted by the party, it is certified to the King and the Archbishop of that Province, whereupon the King gives

gives his Royal Assent under the Great Seal of *England*; which is exhibited to the Archbishop of the Province, with command to confirm and consecrate him, hereto the Archbishop subscribes *Fiat Confirmatio*, and gives Commission under his Archiepiscopal Seal to his Vicar-General, to perform all the Acts required for perfecting his Confirmation.

The Vicar-General then in the name of the Archbishop sends forth a Citation, summoning all Opposers of the said Election or Person Elected, to appear at a certain time and place especially assigned to make their Objections. This is done by an Officer of the Arches, usually at *Bow-Church* in *Cheapside London* by Proclamation three times, and then affixing the said Citation on the Church door for all people to read, the said Officer returns an Authentick Certificate thereof to the Archbishop and Vicar-General. At the day and place assigned for the appearance of the Opposers the Vicar-General sits, then the Proctor for the said Dean and Chapter, exhibits the Royal assent and the Commission of the Archbishop; which read and accepted by the Vicar-General, the Proctor exhibits the Proxy from the Dean and Chapter, and then presents the Elected Bishop, and returns the Citation, and desires the Opposers to be publickly called three times which being done accordingly, he sees, saith their contumacy, and for penalty thereof, desires that the business may proceed-whilst,

which the Vicar-General in a Schedule by him read and subscribed doth order. Next the Proctor giving a summary Petition, wherein is deduced the whole Process of Election and Consent, desires a time to be assigned to prove it, which the Vicar-General admits and decrees. After which, the Proctor exhibits the Royal Assent, with the Elected Bishops Assent, and the Certificate to the Archbishop, and desires a term presently to be assigned to hear final Sentence, which the Vicar-General decrees. Then the Proctor desires that all Opposers should be again called, which being thrice publicly done, and none appearing, nor opposing, they are pronounced contumacious, and a Decree made to proceed to Sentence, by a Schedule read and subscribed by the said Vicar-General. Then the Elect person takes the Oath of Supremacy, Simony, and Canonical Obedience.

Next the Judge of the Arches reads and subscribes the Sentence, after which usually there is an entertainment made for the Officers and others there present, which being once done at the Sign of the *Nags-Head* in *Cheapside* near the said *Bow-Church*; gave occasion to our Adversaries the *Romish Church*, to assem that Fable, that there our first Bishops after the Reformation were Consecrated.

When a Bishop is Elected, and the Election confirmed, he may give Institution, and do his ordinary Jurisdiction; and may

sit in Parliament as a Lord thereof, according to Sir *Ed. Coke 4 Instit. p.* 47.

After the Confirmation, then according to the Kings Mandate is the solemn Consecration of the Elected Bishop, which is done by the Archbishop with the Assistance of two other Bishops, in manner following.

Upon some Sunday or Holyday after Morning Service, the Archbishop beginneth the Communion Service; after a certain Prayer appointed for this occasion, one of the Bishops there present readeth the Epistle, 1 *Tim.* 3 another readeth the Gospel, *John* 21. Then after the *Nicene* Creed and some Sermon, the Elected Bishop vested with his Rochet or Linen Garment, is by two Bishops presented to the Archbishop, or some other Bishop commissioned by him, sitting in his Chair, who demands the Kings Mandate for the Consecration, and causes it to be read; then the Elect Bishop takes the Oath of Supremacy and of Canonical Obedience to the Archbishop; and after divers prayers and several Interrogatories put to the Bishop, and his Answers, the rest of the Episcopal Habit is put upon him, and after more prayers the Elect Bishop kneeleth down, and the Archbishop and Bishops there present, lay their hands on his head, and by a certain pious grave form of words, they Consecrate him. Afterward the Archbishop doth deliver to the Bishop Elect a Bible, with an other set form of words, and

and so all proceed to the Communion Service, and having received the Sacrament, and the Blessing, they retire from Church to *Dinner*, which is at the charge of the Bishop Elect, and is usually very splendid and magnificent, the greatest of the Nobility, Clergy, Judges, Privy Councellors, &c. honouring it with their presence, the expences hereof with Fees of Consecration commonly amounting to Six or Seven hundred pounds.

This Form and Manner of Consecrating Bishops, is according to the Rule laid down in the fourth Council of *Carthage*, about the year 470, generally received in all the Provinces of the Western Church.

Note that by our Order of Consecrating Bishops, it is evident Bishops are look't upon as a distinct Order of themselves, and not only as a different degree from the rest of the Presbyters, as some would have it.

Next goes forth a Mandate from the Archbishop to the Archdeacon of his Province, to install the Bishop Elected, confirmed and consecrated; which Instalment is almost on the same manner in all Cathedrals, and is usually thus,

Upon any day between the hours of 9 and 11, in the presence of a publick Notary, the Bishop Elect or his Proxy which is usual, is introduced into the Cathedral Church by the Archdeacon of *Canterbury*, by whom all the Bishops of that Province are installed, (or else by his

Proxy sometimes) and first he declares his assent to the Kings Supremacy, and swears, that unless he be otherwise dispensed with, he will be Resident according to the Custom of that Cathedral, and observe the Customs of the said Church, and cause others to observe the same. Then the Archdeacon, with the Petty Canons and Officers of the Church, accompany the Bishop up to the Quire, and there place him in the Seat prepared for the Bishops, between the Altar and the right side of the Quire, and then the Archdeacon pronounces these words in Latin, *Ego authoritate mihi commissa induco & instituo in Reverendum, in Christo Patrem Dominum N. N. Episcopum & Dominus custodiat sum introitum & exitum ex hoc nunc & in Seculum*, &c. Then the Subdean and the Petty Canons sing the *Te Deum*; mean while the Bishop is again conducted from his own Place to the Deans Seat, and there in token of taking real possession, he stands till the *Te Deum* is ended, together with other Prayers, the Archdeacon reading some Versicles, as, *O Lord save thy Servant N. our Bishop*, (the People answering) *And send him health from thy holy place*, &c. Then the Archdeacon reads a short Collect for the Bishop by Name; After Prayer, the Bishop is conducted into the Chapter-house, and there placed on a high Seat; then the Archdeacon and all the Prebends and Officers of the Church come before the Bishop, and acknowledge Cano-

Canonical Obedience to him: Finally, the Publick Notary is by the Archdeacon required to make hereof an Instrument declaring the whole matter of fact in this affair.

Then the said Bishop is introduced into the Kings presence, to do his homage for his Temporalities or Barony, by kneeling down, and putting his hands between the hands of the King, sitting in a Chair of State, and by taking of a Solemn Oath to be true and faithful to His Majesty, and that he holds his Temporalities of him.

Lastly, the new Bishop compounds for the First-fruits of his Bishoprick, that is, agrees for his first years profits to be paid to the King, within two years, or more, if the King please.

The *Translation* of a Bishop from one Bishoprick to another, differs only in this, from the manner of making a Bishop, that there is no Consecration.

The *Translation* of a Bishop to be Archbishop, differs only in the Commission, which is directed by His Majesty to four or more Bishops to confirm him. Note, that the difference between an Archbishop and a Bishop, is, that the Archbishop with other Bishops doth Consecrate a Bishop, as a Bishop with other Priests doth Ordain a Priest: The Archbishop visits the whole Province, the Bishop only his Diocess; the Archbishop can Convocate a Provincial Synod, the Bishop only a Diocesan Synod; the Archbishop is Ordinary too; and hath Ca-

nonical Authority over all the Bishops of his Province, as the Bishop hath over all the Priests of his Diocess.

Several Bishops of *England* having Dioceses of a large extent, it was provided by *Stat.* 26 *Hen.* 8. that they should have a power to nominate some to the King to be, with his approbation, Suffragan or Subsidiary Bishops, whereof see more in the first Part of the *Present State of England.* Of these there are none at present in the Church of *England*, but the next to the Bishops are now the Deans of Cathedral Churches.

Dean and Chapter.

Anciently Bishops did not ordinarily transact matters of Moment, *sine consilio Presbyterorum principalium*, who were then called *Senatores Ecclesiæ*, and Colleagues of the Bishops, represented in some sort by our Cathedrals; whereof the Dean and some of the Prebends are, upon the Bishops summons, to assist him in Ordinations, in Deprivations *ab Officio & Beneficio*, in condemnation of obstinate Heretics, in the greater Excommunications, and in such like weighty affairs of the Church. Upon the Kings Writ of *Congé d'Eslire* (as before mentioned) the Dean and Prebendaries are to elect the Bishop of that Diocess. Cathedral and Collegiate Churches are as it were Seminaries or Seed-Plots, whereout from time to time may be chosen fit persons to govern the Church, for having left the Country, and living here in a Society together, they learn

learn experience, they read men, they, by little and little, put off the familiarity of the inferiour Country Clergy, and thereby render themselves the more fit to be set over them in Government. The Dean and Prebendaries, during their required residence in their Cathedral or Collegiate Churches, are to keep Hospitality, upon all Festivals to read Divinity in their turns, which is now turned to Sermons, or set Speeches in the Pulpit, at due times to administer the Lords Supper; to frequent the publick Divine Service; to instruct the Country Clergy, and direct them how and what to Preach, whereby they may best profit their Auditors: In a word, as they excel others in Dignity, and are therefore styled Prelates, so by their more eminent Piety and Charity, they are to be examples and patterns to the inferiour Clergy.

In every Cathedral or Bishops See there is a Dean, and divers Prebendaries, or Canons, whose number is uncertain.

Deans of the old Foundations, founded before the suppression of Monasteries, are brought to their Dignities much like Bishops, the King first sending forth his *Congé d' Eslire* to the Chapter, they electing, and the King granting his Royal Assent, the Bishop confirms him, and gives his Mandate to Install him.

Deans of the new Foundations (upon suppression of Abbeys or Priories, transformed by *Hen.* 8. into Dean and Chapter) are by a shorter course installed by vertue

of the Kings Letters Patents, without either Election or Confirmation.

Among the Canons or Prebendaries in the old Foundations, some are *Canonici stalli*, having *Prebendam fidelis in Choro & jus suffragii in Capitulo*; others are *Canonici in Herba* (as they are called) having right to the next Prebend that shall become void, and having already a Stall in the Quire, but no Vote in the Chapter.

A Prebend is properly the portion which every Prebendary of a Cathedral or Collegiate Church receiveth in the right of his place for the maintenance, *quasi pars vel portio prebenda*.

Next in the Government of the English Church may be reckoned Archdeacons, whereof there are 60 in all *England*; Their Office is to visit two years in three, and to enquire of Reparations and Moveables belonging to Churches, to reform abuses in Ecclesiastical matters, and to bring the more weighty affairs before the Bishop of the Diocess; and therefore he is called, *Alter Episcopi Oculus* (the other being the Dean, as is mentioned in the First Part of the *Present State*) Moreover, the Office of an Archdeacon is upon the Bishop's Mandate to induct Clerks into their Benefices, and thereby to give them possession of all the Profits belonging thereto.

Many Archdeacons have by *Prescription* their Courts and Officials, as Bishops have; whereof more hereafter.

After

After Archdeacons are the *Archipresbyteri*, or Rural Deans, so called perhaps at first for his oversight of some Ten Parish Priests; their Office is now upon Orders to Convocate the Clergy, to signifie to them, sometimes by Letters, the Bishops pleasure, and to give Induction for the Archdeacon living far off.

Next are to be considered the Priests of every particular Parish, who are commonly called the Rectors, unless the Predial Tythes are Impropriated, and then they are filled Vicars, *quasi vices fungentes Rectorum*. Their Office is to take care of all their Parishioners Souls, and, like good Shepherds, to handle every particular Sheep apart; to Catechise the ignorant, reduce the straying, confirm the wavering, convince the obstinate, reprehend the wicked, confute Schismaticks, reconcile differences among Neighbours, to exercise the power of binding and loosing of Souls as occasion shall offer, to read duly Divine Service, to administer the holy Sacraments, to visit the Sick, to Marry, to Bury, to render publick Thanks after Childbearing, to keep a Register of all Marriages, Christnings, and Burials that shall happen within the Parish, to read Divine Sermons or Homilies appointed by Authority (and if the Bishop think fit) to read or speak by heart their own Conceptions in the Pulpit.

Lastly, Deacons, whose Office is to take care of the Poor, Baptize, Read in the

Church, assist the Priest at the Lords Supper by giving the Cup only.

After this brief account of Ecclesiastical Persons, somewhat may here, not unfitly, be added, touching those persons, who, though not in holy Orders, yet have a peculiar Relation to the Church, and are *quasi semi-Ecclesiastici*, as, first, Patrons of Churches, who by first building of Churches, or first endowing them with Lands, have obtained for them and their Heirs a Right of Advowson or Patronage, whose Office and Duty is to impose a fit Clerk (when the Church is void) to the Bishop, to be by him Canonically instituted, and to protect the said Church, as far as he can, from all wrong; and in case his Clerk prove unfit for the place, to give notice thereof to the Bishop.

But the several inconveniences of this right of Presentation, hath been of late years so great, that it is to be wished that all the Advowsons in *England*, not now in the Crown, were by some publick Tax purchased and setled for ever in the Crown, that so all Parsons and Vicars (as well as Bishops, Deans, and Prebendaries) may have their dependance upon the Kings bounty only, (as all the Clergy in some Reformed Churches now have) and not upon any mean, covetous, illiterate, factious, heterodox, simoniacal, or sacrilegious Patron; by which one means all the English Clergy must soon become Loyal, Orthodox, and Unanimous.

Next

Next are the *Oeconomi vel Ecclesiæ Guardiani*, the Churchwardens, whose Office is to see that the Church be in good repair, fitly adorned, and nothing wanting for Divine Service, Sacrament, and Sermons; that the Church-yard be sufficiently mounded or inclosed; that there be an exact Terrier of the Glebe Lands, and if any thing belonging to the Church be detained, to sue for the same; to observe that all Parishioners come duly to Divine Service, to require the penalty for absence, to enquire after, to admonish and to present to the Bishop scandalous livers, to collect the Charity of the Parishioners for poor Strangers, to declare and to execute the Orders of the Bishop, to see that none presume to vent his own conceptions in the Pulpit, unless he hath a special Licence so to do. The Churchwardens are elected every Easter-week, usually by the Parson and Parishioners, if they so agree; if not, then one by the Parson, and the other by the Parishioners.

There are also in greater Parishes joyned with the Church-wardens, *Testes Synodales*, anciently called Synods-men, now corruptly called Sides-men, who are to assist the Churchwardens, in inquiries into the lives of inordinate Livers, and in presenting men at Visitations.

Lastly, the Sacristan, corruptly the Sexton or Clark, who is ordinarily to be chosen by the Parson only: he ought to be twenty years old or above, of good life,

that can Read, Write, and Sing: his Office is to serve at Church the Priest and Churchwardens.

In the Church of *England* there are, as in the antient Primitive times, three Orders, Bishops, Priests, and Deacons. None may be admitted Deacons before the age of 23 years, unless he hath a Dispensation to be admitted younger: None may be made a Priest till he be compleatly 24 years old: None may admitted a Bishop till full 30 years old.

The Ordination of Priests and Deacons is four times the year, upon four several Sundays in the Ember or Fasting Weeks; first introduced by that holy Martyr *Calixtus* Bishop of *Rome*, about the year of our Lord 220, that so all the Nation may at once in their joynt Prayers to God, recommend them that are to receive Ordination, which is performed, by a Bishop, in a solemn grave devout manner, thus for Deacons. After Morning Prayer there is a Sermon, declaring the Duty and Office of Deacons and Priests; then they being decently habited, are presented to the Bishop by the Archdeacon or his Deputy, whom the Bishop asks, if he hath made due inquiry of them, and then asks the People if they know any notable impediment or crime in any one of them: After follow certain godly Prayers, then a Collect, Epistle and Gospel: but before the Gospel the Oath of Supremacy is administred to every one of them, and the Bishop putteth divers godly questions

questions to them; which being answered, they all kneel, and he laying his hands upon them severally, doth Ordain them *Deacons*; then delivers to every one of them the New Testament, and gives them authority to read the same in the Church: Then one of them appointed by the Bishop reads the Gospel, and then all with the Bishop proceed to the Communion, and so are dismissed with the Blessing pronounced by the Bishop.

The Ordination of *Priests* is partly in the same manner, onely the Epistle and Gospel are different; and after the questions and answers made, the Bishop puts up a particular prayer for them, and that ended, he desires the Congregation to recommend them to God secretly in their prayers, for doing of which there is a competent time of general silence: Then follows *Veni Creator Spiritus*, in Meeter to be sung; then after another Prayer, they all kneeling, the Bishop, with one or two grave Priests there present, layeth his hands upon the head of every one severally, and gives them Ordination in a grave set form of words, different both from that of Bishops, and that of Deacons; the rest as in the Ordaining of Deacons.

Of the Ecclesiastical Government of England; *and first, of the Convocation.*

FOr the Church Legislative Power, or the making of Ecclesiastical Laws, and consulting for the more weighty affairs of the Church, the King, by the advice of his Privy Council, usually convokes a National Synod, commonly called the Convocation, which is summoned in manner following.

The King directeth his Writ to the Archbishop of each Province, for summoning all Bishops, Deans, Arch-deacons, Cathedrals, and Collegiate Churches, according to their best discretion and judgment, assigning them the time and place in the said Writ; whereupon the Archbishop of *Canterbury* directs his Letters to the Bishop of *London*, as his Dean Provincial, first citing himself peremptorily, and then willing him in to cite like manner all the Bishops, Deans, Archdeacons, Cathedral and Collegiate Churches, and all the Clergy of his Province to that place, and at the day prefixt in the Writ; but directeth withall, that one Proctor sent for each Cathedral and Collegiate Church, and two for the Body of the inferiour Clergy of each Diocess may suffice. The Bishop of *London* accordingly directs his Letters to the

the Bishops of every Diocess of the Province, citing them in like manner to appear; and to admonish the Deans and Archdeacons to appear personally, and the Cathedrals, Collegiate Churches, and inferiour Clergy of the Diocess, to send their Proctors to the place; and at the day appointed to certifie also to the Archbishop, the names of all so summoned by them.

The place where the Convocation of the Clergy in the Province of *Canterbury* hath usually been held, was *St. Pauls* Church in *London*, but of latter times at *St. Peters* in *Westminster* in the Chappel of *Henry* the Seventh, where there is (as in Parliament) a Higher and a Lower House, or a House of Lords Spiritual, and a House of Commons Spiritual.

The Higher House of Convocation in the Province of *Canterbury* consists of 21 Bishops, whereof the Archbishop is President, sitting in a Chair at the upper end of a great Table, and the Bishops on each side of the same Table, all in their Scarlet Robes, and Hoods, the Archbishops Hood Furred with Ermin, the Bishops with Minever.

The Lower House consists of all the Deans, Arch-deacons, one Proctor for every Chapter, and two Proctors for all the Clergy of each Diocess, in all, 166 persons, viz. 21 Deans, 24 Prebendaries, 54 Archdeacons, and 44 Clerks representing the Diocesan Clergy.

The first day, both Houses being assembled, the Higher chooseth a Bishop for their Prolocutor,

ocutor, and the Lower being required by the Higher, choose them a *Prolocutor*, or Speaker; which done, they present him to the Upper-House by two of the Members, whereof one makes a Speech in Latin; and then the Elect Person makes another Speech in Latin. Lastly, the Archbishop answers in Latin, and in the name of all the Lords approves of the Person.

Both Houses debate, and transact onely such matters as His Majesty, by Commission, expressly alloweth.

In the Upper-House things are first proposed, and then communicated to the Lower-House.

The Major Vote in each House prevails.

Out of Parliament time they usually assemble every day about nine of the clock, and first the Junior Bishop says *Prayers* in Latine, beginning with the Letany, and then for the King, &c. And in the Lower-House the Prolocutor says *Prayers*.

In Convocation are debated onely matters concerning Religion and the Church, and sometime of giving His Majesty assistance in Money; for as the Laity cannot be taxed without their own consent, signified by their Representatives in *Parliament*, so the Clergy cannot be taxed without their consent, signified by their Representatives in Convocation.

The Clergy in Convocation might anciently, without asking the Royal Assent, and now may with the Royal Assent, make

Canons

Canons touching matters of Religion, to bind not onely themselves, but all the Laity, without consent or ratificarion of the Lords and Commons in Parliament.

Till the late Rebellion the Parliament did not at all meddle in the making Canons, or in matters Doctrinal, or in Translation of Scriptures, or Annotations thereon, onely by their Civil Sanction (when they were thereto required) did confirm the results and consultations of the Clergy, that so the people might be the more easily induced to obey the Ordinances of their Spiritual Governours.

The Clergy of *England* had antiently their Representatives in the Lower-House of Parliament, as appears by that antient Record so highly prized, by the late Lord *Coke*; and as the Upper-House had, and still hath Lords Spiritual as well as Temporal; so in the Lower-House there were always Commons Spiritual as well as Temporal; for that Record saith expresly, that the Commons in Parliament consist of three degrees or kinds; First, *Ex Procuratoribus Cleri*; Secondly, *Ex Militibus Comitatuum*; Thirdly, *Ex Burgensibus*: And the words of the Writ directed now to the *Procuratores Cleri*, seem to give them the very same right to sit in that House, as the Words of the Writ to the Knights, Citizens, and Burgesses do give to them.

All the Members of both Houses of Convocation have the same priviledges for them-

themselves and menial Servants, as the Members of Parliament have, and that by Statute.

The Archbishop of *York* at the same time holds at *York* a Convocation of all his Province in like manner, and by constant correspondence doth debate and conclude of the same matters as are debated and concluded by the Provincial Synod of *Canterbury*.

Now for the Executive Power in Church-matters throughout the Kingdom of *England*, there have been provided divers excellent Courts, whereof the highest for Criminal Causes, was the High Commission Court, for the Jurisdiction whereof, it was enacted, *Primo Elizabetha*, that Her Majesty and Successors should have power, by Letters Patents under the Great Seal, to nominate Commissioners to exercise Jurisdiction throughout the whole Realm; to visit, reform and correct all Errours, Heresies, Schisms, Abuses, and Delinquencies, that may, by any Ecclesiastical power, be corrected or reformed.

This Court consisted of the Highest Persons of *England* in the Church and State, and was the principal Bulwark and Preservative of the Church of *England* against the practises and assaults of all her Adversaries, whether Romanist, Puritan, or Atheist; yet, for some pretended abuses, the use thereof was taken away in the late seditious long Parliament; whereupon followed a deluge of Errours in Religion, Apostacy, Atheism,

Atheism, Blasphemy, Sacrilidge, Incest, Adultery, impious Libels, Schisms, Conventicles, &c. all which so overwhelmed the manners of Englishmen, and occasioned at length so many professt Atheists, that until the re-establishment of this or the like Court, there cannot a Reformation be easily hoped for.

For Civil Affairs that concern the Church, the highest Court is the Court of Delegates, for the Jurisdiction whereof it was provided, 25 *Hen.* 8. That it shall be lawful for any Subject of *England*, in case of defect of Justice in the Courts of the Archbishop of *Canterbury*, to appeal to the Kings Majesty in his Court of *Chancery*, and that, upon such Appeal, a Commission under the Great Seal shall be directed to certain Persons, particularly designed for that business; so that from the highest Court of the Archbishop of *Canterbury*, there lies an Appeal to this Court of Delegates, and beyond this to none other.

Next to the Court of *Delegates* are the Courts of the Archbishop of *Canterbury*, where any Ecclesiastical Suits between any persons within his Province may (waving all inferiour Courts) be decided; amongst them the highest Court is the Court of Arches, so called from the Arched Church and Tower of S. *Maries* in *Cheapside*, *London*, where this Court is wont to be held, the Judge whereof is called *Dean of the Arches*, having Jurisdiction over a Deanery consisting of 13 Parishes within *London*, exempt from the Jurisdiction

XUM

on of the Bishop of *London*. Hither are directed all Appeals in Ecclesiastical Matters within the Province of *Canterbury*. To this Court belongs divers Advocates, all Doctors of the Civil Law, two Registers, and ten Proctors: the Dean at present is Doctor *Sweet*.

In the next place the Archbishop of *Canterbury* hath his Court of Audience kept within the Archbishops Palace, and medleth not with any difference between parties, but concerning Elections and Consecration of Bishops, Admission, and Institution to Benefices, dispensing with Banns of Matrimony, *&c.*

The next Court is called the Prerogative Court, which judgeth of Estates taken by Will, or by Intestacy, so called, because the Archbishops *jure Prerogativæ suæ* hath this power throughout his whole Province, where the Party at the time of death had 5 *l.* or above in several Dioceses, and these two Courts hath also the Archbishop of *York*.

Lastly, the Court of Peculiars, which dealeth in certain Parishes, lying in several Dioceses, which Parishes are exempt from the Jurisdiction of the Bishops of those Dioceses, and are peculiarly belonging to the Archbishop of *Canterbury*, in whole Province there are 57 such Peculiars.

Besides these Courts serving for the whole Province, every Bishop hath his Court held in the Cathedral of his Diocese, over which he hath a Chancellor, termed ordinarily

by *Archidiaconus & Episcopi Ecclesiæ*, the Church-Lawyer, or the Bishops Lawyer, who being skill'd in the Civil and Canon Law, sits there as Judge; and if his Diocese be large, he hath in some more remote place a Commissary, whose Authority is onely in some certain place of the Diocese, and some certain causes limited to him by the Bishop in his Commission; and these are called Consistory Courts.

Moreover, every Archdeacon hath his Court and Jurisdiction, where smaller differences arising within his limits are pleaded. Also the Dean and Chapter hath a Court, and take Cognizance of Causes happening in places belonging to the Cathedral.

Lastly, there are certain peculiar Jurisdictions belonging to some certain Parishes, the Inhabitants whereof are exempt sometimes from the Archdeacons Jurisdiction, and sometimes from the Bishops Jurisdiction.

Causes belonging to Ecclesiastical Courts, are Bastardy, Apostasie from Christianity, Heresies, Schisms, Ordinations, Inductions of Clerks to Benefices, Celebration of Divine Service, Rights of Matrimony, Divorces, Incest, Bastardy, Tythes, Oblations, Obventions, Mortuaries, Dilapidations, Reparation of Churches, Probate of Wills, Administrations, Simony, Incests, Fornications, Adulteries, Solicitations of Chastity, Usurpations, Prosecutions, Commutation of Penance, &c.

that

the cognizance whereo belongs not to the Common Law of *England*.

The Laws and Constitutions whereby the Ecclesiastical Government doth stand, and the Church of *England* is governed, are first general Canons made by general Councils; also the *Arbitria sanctorum Patrum*, the opinion of Fathers, the grave Decrees of several holy Bishops of *Rome*, which the Kings of *England* from time to time have admitted.

Next our own Constitutions made anciently in several Provincial Synods, either by the Legats *Otho* and *Othobon*, sent from *Rome*; or by several Archbishops of *Canterbury*; all which are by 25 *H.* 8. of force in *England*, so far as they are not repugnant to the Laws and Customs of *England*, or the Kings Prerogative. Then the Canons made in Convocations of later times, as *primo Jacobi*, and confirmed by His Royal Authority. Also in some Statutes enacted by Parliament touching Ecclesiastical affairs: And lastly, divers Customs not written, but yet in use beyond the memory of man: and where these fail, the Civil Law takes place.

The manner of Trials by these Laws and Customs, are different from the Trials at Common-Law, and are briefly thus. First goes forth a Citation, then Bill and Answer, then by Proofs, Witnesses, and Presumptions the Matter is argued *pro* and *con*, and the *Canon* and *Civil Laws* quoted, then without any Jury the Definitive Sen-

Sentence of the Judge pleased, and upon that Execution. And this is the manner of trying Ecclesiastical Civil Causes; but Ecclesiastical Criminal Causes are tryed by way of Accusation, Denunciation, or Inquisition. The first, when some one takes upon him to prove the Crime: the second, when the Church Wardens present, and are not bound to prove, because it is presumed they do it without any Malice, and that the crime is notorious. Lastly, by Inquisition, when by reason of common Fame, inquiry is made by the Bishop, *ex officio suo*, by calling some of their Neighbourhood to their Oaths, or the Party accused to his Oath *ex officio*, so called, because the Ecclesiastical Judge doth it *ex officio suo*, which is very ancient, and was usual among the Jews; so Joshua to Achan, *Fili mi, da gloriam*, &c. So God himself to Adam upon his first transgression; and likewise afterward to Solon; but by the prevailing fashion in the long Parliament, this power was removed from the Church, the want whereof is one main cause of the great liberticidine and debauchery of the Nation.

Now the punishments inflicted by these Spiritual or Ecclesiastical Courts, according to their Spiritual or Ecclesiastical Laws, proceed in this manner. First the party delinquent is admonished; next goes forth *Minor Excommunicatio*, whereby he is excommunicated, or excluded from the Church; or if not from the Church, yet from

from the Communion of the Lords Supper is disenabled to be Plaintiff in a Law-Suite, &c. and this commonly for stubbornesse shewed, by not appearing in the Ecclesiastical Court upon summons, or not obeying the Orders of the Court, which though in smallest matters, yet may be a very great crime; for *Res praecepto quo facilior est observatu eo praecepti violatio est gravior cum sit magis spontanea*, as S. *Austin* observes of the first Sin of *Adam*, Any command by how much the easier it may be observed, by so much the more grievous is the breach thereof, because it is the more voluntary; besides, in contempts it is not so much the violation of the Law, as of the Authority, which ought to be resented. And herein the Church of *England* proceedeth no otherwise than the State of *England*; for so odious in the Eye of the Common Law of *England*, is the contempt thereof, that not only for Felonies, but even in an Action of the case, in an Action of a small Debt, Account or Detinue, if a Man will not appear and submit himself to a Tryal at Law, a Process of Outlawry is grounded against him, and he being once Outlawed, he is out of the protection of the Law. *Caput gerit lupinum*, saith *Bracton*, an Outlawed was anciently lookt upon as a Woolf, lawfully to be killed by any Man that should meet him, as most just, that he who contemned the Law, and therein the King, should not have benefit by the Law, nor protection from the King, and at this day he is to

lose

lose all his Goods and Chattels. The Reader will eafily pardon this digreſſion, when he conſiders the general cry againſt Excommunications at this day.

This power of leſſer Excommunication the Biſhop may delegate to any grave Prieſt with the Chancellour.

Excommunicatio major, is not only an excluſion from the company of Chriſtians in Spiritual Duties, but alſo in Temporal affairs, and this commonly for Hereſie, Schiſm, Perjury, Inceſt, and ſuch grievous Crimes; and that it may be done with the more ſolemnity and terror, it is to be pronounced by the Biſhop himſelf in his proper perſon; and being ſo Excommunicated, a Man cannot in any Civil or Eccleſiaſtical Court be Plaintiff or Witneſs. And in caſe any Man be ſo ſtubborn as to continue 40 dayes Excommunicated, the King's Writ *de excommunicato capiendo* is granted out of the Chancery againſt him; whereupon he is caſt into priſon without Bail, there to lie till he hath ſatisfied for his offence.

Next there is *Anathematiſmus* to be inflicted only upon an obſtinate Heretick, whereby he is declared a publick Enemy of God, and rejected, and curſed, and delivered up to eternal damnation: and this is to be done by the Biſhop alſo, in his own Perſon, aſſiſted by the Dean and Chapter, or twelve other grave Prieſts.

Laſtly, there is *Interdictum*; whereby is prohibited all Divine Offices, as Chriſtian Burial,

Burial, Administration of Sacraments, &c. in such a Place, or to such a People, and if this be against a People, it follows them wheresoever they go; but, if against a Place only, then the People of that Place may go to Divine Offices elsewhere.

Besides these general Censures of the Church, which respect Church Communion; there is another which toucheth the Body of the Delinquent, called Publick Penance, when any one is compelled to confess in publick his fault, and to bewail it before the whole Congregation in the Church; which is done to this manner: the Delinquent is to stand in the Church-Porch upon some Sunday, bare-head and feet, in a white Sheet, and a white Rod in his hand, there bewailing himself, and begging every one that passes by to *Pray* for him, then to enter the Church, falling down and kissing the ground; then in the middle of the Church, placed in a higher place, in the sight of all the People, and over against the Minister, who declares the foulness of his Crime odious to God, and scandalous to the Congregation, that God can no way be satisfied but by applying Christs sufferings; nor the Congregation, but by an humble acknowledging of his sin, and testifying his sincere Repentance and Sorrow, not in words only, but with tears, and promising there in the sight of God and his Holy Angels, that by Gods assistance, and by Prayer, Meditation, and daily works of Piety, he will endeavor hereafter

ter more carefully to watch against the temptations of the world, the allurements of the flesh, and the snares of the Devil: which being done, and the Priest in Christs Name pronouncing the remission of sins, the penitent humbly beseeches the Congregation to pardon him that great scandal against them, and receive him into their holy Communion, and to account him again a Member of their Church, and in testimony hereof, not of their Christian Charity, to vouchsafe to joy with him about the Lords Prayer. And this way of the Church of England, appears by divers Writers to be the ancient way used by the Primitive Churches.

Note. This is ordained by the Canons of the Church of England, that in case the crime be not notorious and publick, the Ecclesiastical penance may at the parties request be commuted into a pecuniary mulct for the poor of the Parish, or some Pious uses, provided that for the Reformation of the Delinquent, this way appear to be the more probable way; for some men will be thereby reclaimed, who by publication of their offence would become more impudent and hardned, when they perceive their reputation to be lost.

There remains one more punishment of Ecclesiastical Censure, which toucheth the body, and that is denial of Christian Burial, which is inflicted, not in *poenam mortuorum*, but in *terrorem vivorum*, who naturally desire, that after their death their

bodies may be decently interred. And Christian burial is wont to be denied by the Church of *England*, to persons dying excommunicate, to perjur'd persons, to such as are hanged for Felony, or that wilfully kill themselves, and to Apostates, Heretics, and Excommunicates.

To these fore-named Censures and Punishments, both Laity and Clergy are subject; but besides these, there are punishments whereunto the Clergy only are liable; as first, *Suspensio ab Officio*, when a Minister for a time is declared unfit to execute the Office of a Minister.

Then *Suspensio a Beneficio*, when a Minister for a time is deprived of the profits of his Benefice; and these two Censures are wont to be for smaller Crimes.

Thirdly, *Deprivatio a Beneficio*, when, for a greater Crime, a Minister is wholly and for ever deprived of his Living.

And Fourthly, *Deprivatio ab officio*, when a Minister is wholly and for ever deprived of his Orders, and this is called *Depositio*, or *Degradatio*, and is commonly for some heinous crime, meriting death, and is performed by the Bishop in a solemn manner, pulling off from the Criminal his Vestments, and other Ensigns of his Order; and this in the presence of the Civil Magistrate, to whom he is then delivered to be punished as a Lay-man for the like offence. And lastly Bishops are to take special care to behave themselves Μὴ ὡς κατακυριεύοντες τῶν κλήρων, not as

as Lording over Gods Heritage, nor as absolute Masters over Servants, to gain by their punishments, but as Fathers over Children, for their amendment, and as being Ministers in Spiritual Affairs, to use their power for the good of Christians, and to conduct that power by moderation.

Of the Parliament of England, *and therein of the Person summoning, the manner of the Summons, the persons summoned, their Privileges; the Place and Manner of Sitting, the Passing of Bills in either House, the Passing of Acts of Parliament, of Adjourning, Proroguing, and Dissolving of Parliaments.*

A Brief account of the *Ecclesiastical* Government having been given, next follows the Civil Government, towards which, the first great Wheel that moves, is the Parliament of *England*.

Before the Conquest, the Great Council of the King, consisting onely of the Great Men of the Kingdom, was called *Magnatum*

Conventus, or else *Prelatorum Procerumque Concilium*, and by the *Saxons* in their own Tongue, *Michel Gemot*, the Great Assembly; after the Conquest it was called by the French word, *Parlementum*, from *Parler*, to talk together, still consisting only of the Great Men of the Nation, until the Reign of *Henry* the Third, the Commons also were called to sit in Parliament, for the first Writs sent forth to summon them, bear date 49 *H.* 3. about 400 years ago.

None but the King hath Authority to summon a Parliament: In the Kings absence out of the Realm, the *Custos Regni* in the Kings Name doth summon a Parliament; and during the Kings minority within the Realm, the *Protector Regni* doth the same.

No Parliament can begin without the Kings Presence, either in Person, or by Representation by Commissioners.

When the King of *England* is with his Parliament in time of Peace, he is then said to be in the height of his Royal Dignity, as well as when he is at the head of his Army in time of War. There is then scarce any thing that the King cannot do, his power cannot be confined to Causes or Persons within any bounds. He can, with the concurrence of his Lords and Commons, legitimate one that is born illegitimate, bastardize one that is born legitimate, that is to say, one begotten in Adultery, the Husband being then within the

the four Seas. He can make an Infant of full Age, make an Alien or Foreigner an *English man*, can attaint a man of Treason when he is dead, when he is no more a man, &c.

A Parliament is summoned in manner following; About fourty days before the Parliament doth Assemble, the King issues out his Writ, *Cum Advisamento Consilii sui*, and the Warrant is, *Per ipsum Regem & Concilium*.

The Kings Writ (which is a short Letter or Epistle) is directed and sent to every particular person of the Lords Spiritual and Temporal, commanding the Lords Spiritual, *in Fide & Dilectione*; and the Lords Temporal, *per Fidem & Allegiantiam*, to appear at a certain time and place, to treat and give their advice in some certain important Affairs, concerning the Church and State, &c.

Other Writs are sent to the High Sheriff of each County, to summon the people to elect two Knights for each County, two Citizens for each City, and one or two Burgesses for each Burrough, according to *Statute*, *Charter*, or *Custom*.

In these Elections, antiently, all the people had their Votes, and most Votes carried it; but for avoiding of tumults and trouble, it was enacted by *H. 6.* that none should have any Suffrage in the election of Knights of the Shire, but such as were Freeholders, did reside in the County, and had yearly Revenue 40 s. (which till the disco-

very of the Gold and Silver in *America*, was as much as 30 to 40 *l.* now) whence it came to pass, that the Lay-Commons were then Elected as the Clergy-Commons, the *Procuratores Cleri* were, and ever have been, *viz. sine Prece, sine Pretio, sine Populo, &c.*

The Persons Elected for each County, are to be *Milites Notabiles*, or at least *Esquires*, or Gentlemen, fit to be made Knights, as it is in the Statutes of *H. 6.* They ought to be *de discretioribus Militibus, & ad laborandum potentioribus*, as the words in some Writs have been: they ought not to be of younger years, for then it would be *Juventutis (si sic loqui liceat) potius quam Senatus*, not lazy *Epicures*, but men of years, vigorous, active, and abstemious men, that will be content to give their constant attendance in Parliament, or else to enjoy neither Priviledge nor Expences allowed to every Member of the Commons House. They ought to be Native Englishmen, or at least such as have been Naturalized by Act of Parliament. No Alien or *Denizen*, none of the Twelve Judges, no Sheriff of a County, no Ecclesiastical Person that hath Cure of Souls, may be chosen a Parliament-man, to serve for any County, City or Borough.

Two things are said to be requisite to the legality of sitting in Parliament; first, that a man should be of full age, that is, 21 years old at least; for if no man under that age can dispose of his Estate, nor make

make one legal Act to that purpose, then much less may he bear any part in the Supreme power of the Nation, to judge, vote, or dispose of the Estate of the whole Realm: yet the practise in the House of Commons (though never in the House of Lords) hath sometimes been otherwise.

All Members of Parliament, both Lords and Commons, that they may attend the publick Service of their Country, are priviledged with their menial Servants attending on their persons, together with all their necessary Goods, brought along with them, from all Attachments and Imprisonments, for Debts, Trespasses, Account or Covenant, all the time that they are on the way to the place of Parliament, all the time they are at the *Parliament*, and all the time they are on the way home again, *Eundo, Morando, ad propria redeundo*, (for so were the old words) but they are not priviledged from Arrests for Treason, Felony, or breach of the Peace.

The place of Meeting for this High and Honourable Assembly, is in whatsoever City, Town or House the King pleaseth; but of latter times it hath been usually held at the Kings ancient Palace, and usual Residence at *Westminster*, all the Lords in a fair room by themselves, and the Commons not far from them in another fair room, which was heretofore the antient free Chappel of St. *Stephen*.

The manner of sitting in the Lords House is thus.

The King as oft as he comes (which hath usually been, onely at the opening of Parliaments, or at the passing of Bills, or at some solemn debates, as the present King hath frequently done) is placed at the upper end of the Room in a Chair of State, under a Cloth of State, under which on either hand none but the Kings Children.

On the Kings right hand is a seat, antiently for the King of *Scotland*, when he was summoned to Parliament, as he sometimes was *in Fide & Ligiantia*; but now it is for the Prince of *Wales*. On the Kings left hand is a seat for the Duke of *York*.

On the Kings right hand, and next the wall, are placed on a Form the two Archbishops, next below on another Form, the Bishops of *London*, *Durham*, and *Winchester*; then upon other Forms on the same side, all the rest of the Bishops sit according to the priority of their Consecration.

On the Kings left hand upon Forms, are placed the Lords Chancellor, Treasurer, President of the Kings Council, and Lord Privy Seal; if they are Barons, above all Dukes, except those of the Royal Family; if they are not Barons, then they sit uppermost on the Woolsacks.

On the same side sit the Dukes, Marquisses, and Earls, according to their Creations.

Upon the first Form, a cross the House, below the Woolsacks, sit the Viscounts, and upon the next Forms the Barons all in order.

The

The Lord *Chancellor* or *Keeper* (if the King be present, stands behind the *Cloth* of Estate, otherwise sits on the first Woolsack thwart the Chair of State, his Great Seal and Mace by him; He is *Lord Speaker* of the *Lords House*. Upon other *Woolsacks* sit the *Judges*, the *Privy Counsellors*, and *Secretaries of State*, the Kings *Council at Law*, the *Masters of Chancery*. These being not *Barons*, have no suffrage in Parliament, onely sit to give their advice when it is required. The reason why these Sages are placed upon *Woolsacks*, may probably be to mind them of the great importance of *Wool* and *Sheep* to this Nation, that it never be neglected.

On the lowermost *Woolsack* are placed the Clerks of the *Crown*, now *Henry Barker* Esquire, and Clerk of the Parliament at present *John Brown* Esquire; whereof the former is concerned in all Writs of Parliament, and Pardons in Parliament; the other recordeth all things done in Parliament, and keepeth the Records of the same. This Clerk hath also two Clerks under him, who kneel behind the same *Woolsack*, and write thereon. Without the Bar of the Lords House sits the Kings first Gentleman-Usher, called the *Black Rod*, from a black Staff he carries in his hand, under whom is a Yeoman-Usher that waits at the door within, a Crier without, and a Sergeant at Mace, always attending the Lord Chancellor.

When the King is present with his Crown on his head, none of the Lords are covered.

The Judges stand till the King gives them leave to sit.

When the King is absent, the Lords at their entrance do reverence to the Chair of State, as is, or should be done by all that enter into the Kings Presence-Chamber.

The Judges then may sit, but may not be covered, till the Chancellor or Keeper signifie unto them the leave of the Lords.

The Kings Council and Masters of Chancery sit also, but may not be covered at all.

The Commons in their House sit promiscuously, onely the Speaker hath a Chair placed in the middle, and the Clerk of that House near him at the Table. They never had any Robes (as the Lords ever had) but wear every one what he fancieth most, which to strangers seems very unbecoming the Gravity and Authority of the Great Council of *England*: and that during their attendance on Parliament, a Robe or Grave Vestment would as well become the Honourable Members of the House of Commons, as it doth all the Noble Venetians, both young and old, who have right to sit in the Great Council of *Venice*, and as it doth the Senators of Rome at this day, &c.

The time of sitting in Parliament, is on any day in the morning, or before dinner, onely it hath antiently been observed, not to assemble upon some high Festival days, but upon ordinary Sundays oft-times, as days accounted by all Christians less solemn then divers

divers other Festivals, which are celebrated but once a year.

When the day prefix'd by the King in his Writs of Summons is come, the King usually cometh in person with his Crown on his Head, and clothed with his Royal Robes, declares the cause of the Summons in a short Harangue, leaving the rest to the Lord Chancellor, who then stands behind his Majesty; the Commons in the mean time standing bare at the Bar of the Lords House, are afterwards in the Kings Name commanded to choose them a Speaker, (which without the Kings command they may not do) whereupon they returning to their own House, make choice of one of their own Members, whom afterwards upon another day they present to the King, and being approved of by His Majesty, sitting in his Chair, and all his Lords, both Spiritual and Temporal in their Robes of Scarlet, he makes a modest refusal; which not allowed, he petitioneth His Majesty that the Commons may have during their sitting; First, *a free access to His Majesty.* Secondly, *Freedom of Speech within their own House.* Thirdly, *Freedom from Arrests.*

Before any affair be medled with, all the Members of the House of Commons, take the Oath of *Allegiance* and *Supremacy* in the presence of an Officer appointed by the King.

By that old Manuscript called *Modus tenendi Parliamentum*, though it be not so old as some learned men have imagined, it doth appear, as aforementioned that the House of Commons did anciently (as the House of

Lords

Lords at this day) consist of Clergy-men as well as Lay-men; there sate the *Procuratores Cleri*, two for each Diocess, representing all the Clergy Commons of the Diocess, as the Knights of the Shire doth all the Lay-Commons of the Shire; for it was then judged expedient that every Freeman of *England*, as well Clergy as Laity, should in passing of all Laws touching propriety, whereunto they were to be subject, give their consent personally or immediately by themselves, or else by some that by their election should mediately undertake for them; and the Words of the Writ for summoning the *Procuratores Cleri*, as aforesaid, seem to warrant the same at this day.

The Power and Priviledges of both Houses of Parliament are divers and distinct one from another.

The Lords House hath a Power not only in making and repealing Laws, but also in *tractando & consilium impendendo*, as the words of the Writ are, also in judging of Controversies, judging in the Arraignment of any Peer of the Realm, putting men to their Oaths, especially in matters of importance, as the corruption of Judges and Magistrates, in Error, Illegal proceedings in other Courts, in Appeals from Decrees in *Chancery*.

The Lords that in their Religion conform not to the Church of *England*, may yet sit and have Suffrage in the Lords House.

All the Lords Spiritual and Temporal have this priviledge, That if by reason of Sickness, or other business, they cannot appear

pear, they may make their Proxies to vote in their stead, after Licence obtained by a Letter under the Kings Signet, to be excused for their absence: so that in every Parliament, every person in *England*, either by himself, Proxy, or Representative is said to be there, and to have his Suffrage for making or repealing any Law.

The Commons have also a power in making and repealing Laws, they also have their Negative Voice; for Levying of any Money upon the Subject, the Bill begins in the Commons House, because from them doth arise the greater part of Moneys.

The Commons have the Priviledge to supplicate and propose Laws, to impeach publick Delinquents, even the highest Lords of the Kingdom, both Spiritual and Temporal.

The House of Commons is the grand Inquest of the Realm, summoned from all parts, to present publick grievances, and Delinquents to the King and Lords, to be redressed and punished by them, and to this purpose, the Lords sit in their Robes on the Bench covered, as Judges do in other Judicatories; they swear and examine Witnesses, and at length pass sentence, whilst the Members of the Commons House stand bare at the Bar of the Lords House, produce Witnesses, manage evidence, &c.

Note, that although every Member of the Commons House is chosen to serve for one particular County, City, or Burrough, yet

yet he serves for the whole Kingdom; and his voice equal to any other, his power absolute to consent or dissent without ever acquainting those that sent him, or demanding their assent, as the States General of the *United Netherlands* are obliged to do in many Cases.

Yet are they to make it their special care to promote the Good of that County, City or Borough for which they serve.

Although the Lords of Parliament are to bear their own Charges, because they represent there only themselves; yet all the Commons, both Lay and Clergy, that is the *Procuratores Cleri*, are to have *rationabiles Expensas* (as the words of the Writ are) that is, such allowance as the King considering the Prices of all things, shall judge meet to impose upon the people to pay. In the 17 *Edward* 2. it was 10 *groats* for Knights, and five *groats* for Burgesses, but not long after it was 4 *s.* a day for dubbed Knights, and 2 *s.* for all others: which in those days, as appears by the prices of all things, was a considerable sum, above 20 times more then it is now; for not only their expences were considered, though that was great, by reason of the suitable attendance that then every Parliament man had, but also their pains, their loss of time, and necessary neglect of their own private affairs, for the service of their Country; and when the Counties, Cities and Burroughs, paid so dear for their expences, they were wont to take care

to

to chuse such Men as were best able and most diligent in the speedy dispatch of affaires, by which means, with some other, more business in those times was dispatched in Parliament in a week, then is now perhaps in ten: so that the Protections for Parliament Men and their Servants from Arrests, were not then grievous, when scarce any Parliament or Session lasted so long as one of the four Terms now at *Westminster*.

In the Raign of *Edward* 3. the Parliaments sometimes sat but eight days, and sometimes less, as may be seen in the *Records* of the Tower, and yet transacted several and weighty Affairs of the Nation, many things being prepared before hand, (as some think) by the King and his Privy Council, as they are at present in *Sweden*, and that commonly they then debated onely upon such things, as the King did propose, which is now done by the Convocation of the Clergy of *England*.

The afore-mentioned expences being duly paid, did cause all the petty decayed Burroughs of *England*, to become humble Suitors to the King, that they might not be obliged to send Burgesses to Parliament, whereby it came to pass that divers were unburgessed, as it was in particular granted to *Chipping*, or *Market Torriton* upon their petition, and then the number of the Commons House being scarce half so many as at present, their Debates and Bills were sooner expedited, no faction among them,

them, nor distinction of parties, but altogether by a blessed unanimity amongst themselves, and compliance with the Lords, rarely denyed any thing to the King, and as rarely were denyed any thing by the King.

The manner of debates of passing of Bills and Act, is thus.

It is the practice of each House to debate not onely of what the King hath proposed, but of any other Lay matters, unless their Soveraign shall expressly forbid the same, as heretofore hath sometimes been done.

It is free for any Man of the Parliament, or not of the Parliament, to get a Bill drawn by some Lawyer, and give the same to the Speaker or Clerk of the Parliament, to be presented at a time convenient, and this Bill may be put first either in the Lords House or the Commons House.

Whatever is proposed for a Law, is first put in Writing, and called a Bill, which being read commonly after 9 of the Clock in a full Assembly, it is either unanimously rejected at first, or else allowed to be debated, and then it is committed to a certain number of the House presently nominated and called a Committee. After it hath been amended, and twice read two several days in the House, then it is engrossed, that is, written fair in Parchment, and read the third time another day, and then, if it be in the Lords House, the Lord Chancellour; in the Commons House, the Speaker demandeth if they will have it put to the question, whether a Law or no Law,

it

if the major part be for it, there is written on the Bill by the Clerk, *Soit baile aux Communes*, or, *Soit baille aux Seigneurs*, retaining ſtill in this, and ſome other things about making Laws, the cuſtom of our Anceſtors, who were generally ſkilled in the French Tongue.

Note, *That when the Speaker finds divers Bills prepared to be put to the queſtion, he gives notice the day before, that on the morrow he intends to put ſuch Bills to the paſſing or third reading, and deſires the ſpecial attendance of all the Members.*

Note alſo, *That if a Bill be rejected, it cannot be any more propoſed during that Seſſion.*

A Bill ſent by the Commons up to the Lords is uſual (to ſhew their reſpect) attended with 30 or 40 of the Members of the Houſe; as they come up to the Lords Bar, the Member that hath the Bill making three profound reverences, delivereth it to the Lord Chancellour, who for that purpoſe comes down to the Bar.

A Bill ſent by the Lords to the Commons, is uſually ſent by ſome of the Maſters of the Chancery, or other perſon whoſe place is on the Woolſacks (and by none of the Members of that Houſe) and they coming up to the Speaker, and bowing thrice, deliver to him the Bill, after one of them hath read the Title, and deſired it may be there taken into conſideration: if afterwards it paſs that Houſe, then is writen on the Bill, *Les Communes ont aſſenti.*

When

When any one in the Commons House will speak to a Bill, he stands up uncovered, and directs his Speech only to the Speaker, then if what he delivers, be confuted by another, yet it is not allowed to answer again the same day, lest the whole time should be spent by two talkative persons. Also if a Bill be debating in the House, no Man may speak to it in one day above once.

If any one speak words of offence to the Kings Majesty, or to the House, he is called to the Bar, and sometimes sent to the *Tower*. The Speaker is not allowed to perswade or disswade in passing of a Bill, but only to make a short and plain Narrative, nor to Vote except the House be equally divided.

After Dinner the Parliament ordinarily Assembles not, though many times they continue sitting long in the afternoon.

Committees sit after Dinner, where it is allowed to speak, and reply as oft as they please.

In the Lords House, they give their Suffrages or Votes beginning at the *Puisne* or lowest Baron, and so the rest *Seriatim*, every one answering apart [*contenti*] or [*non contenti*.]

In the House of Commons they Vote by *Yea's*, and *No's* altogether, and if it be doubtful whether is the greater number, then the *Yea's* are to go forth, and the *No's* are to sit still (because these are con-

tent

tent with their present condition, without any such addition or alteration of Laws as the other desire) and some are appointed to numbers them, but at a Committee, though it be of the whole House, as is sometimes, the *Yea*'s go on one side, and the *No*'s on the other, whereby they may be discerned.

If a Bill pass in one House, and being sent to the other House, they demur upon it, then a Conference is demanded in the Painted Chamber, where certain deputed Members of each House meet, the Lords sitting covered at a Table, the Commons standing bear with great respect, where the business is debated: if they then agree not, that business is nulled, but if they agree, then it is at last brought (with all other Bills which have passed in both Houses) to the King, who comes again with his Crown on his Head, and clothed with his Royal Robes, (sometimes before his Pleasure is to prorogue or dissolve them) and being seated in his Chair of State, and all the Lords in their Robes, the Clerk of the Crown reads the Title of each Bill, and as he reads, the Clerk of the Parliament, according to his instructions from the King, who before hath maturely considered each Bill, pronounceth the Royal Assent. If it be a publick Bill, the Answer is [*Le Roy le veut*] which gives Life and Birth to that Bill, that was before but an *Embrio*. If a private Bill, the Answer is, [*Soit fait comme il est desiré*] If it be a pub-

publick Bill, which the King likes not, then the Answer is [*Le Roy s'avisera*] which is taken for an absolute denial in a more civil way, and that Bill wholly nulled. So that it is as true in *England* in some sence, as in any Monarchy in the World, *Quod Principi placuit legis habet vigorem*, Not that whatever the King of *England* wills becomes immediately a Law, but that nothing except what the King wills hath the force of a Law.

Note, *That the King without his personal presence, can by Commission granted to some of his Nobles, give his Royal Assent to any Bill that requires haste.*

If it be a Bill for Moneys given to His Majesty, then the Answer is [*Le Roy remercie ses loyaux sujets, accepte leur Benevolence, & ausi le veut*] which antient Ceremony of thanking the Subject for parting with their Money, some think might better be spared, because it intimates a distinct interest between the King and his Subjects, which is not only false, but very dangerous to be allowed of. The King is *Pater patriæ*, the Money given to him is for our use and benefit, if we are niggardly to him, we injure our selves, &c. The Bill for the Kings general Pardon, hath but one reading in either House, for this reason, because they must take it as the King will please to give it; so the Bill of Subsidies granted by the Clergy assembled in Convocation for the same reason. When the Bill for the general pardon is passed by the

the King, the Answer is thus (*Les Prelats Seigneurs & Communes en ce Parliament assemblez au nom de tous vos autres Sujets, remercient tres humblement votre Majesté & prient Dieu vous donner en sante bonne vie & longue.*)

All Acts of Parliaments before the Reign of *Hen.* 7. were passed and enrolled in *French*, now in *English*.

Most of our ancient Acts of Parliament run in this Stile; *The King at the humble request of the Commons, with the assent of the Prelates, Dukes, Earls, and Barons, hath ordained or enacted.* After it was thus, *The King by the Advice and Assent of the Lords Spiritual and Temporal, and with the Assent of the Commons, doth enact:* Of later times it hath been thus, *Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons:* although the words of the Writ for summoning the Commons, (which ought to be the main Rule) is onely *ad Consentiendum*, and not *ad Concilium impendendum*, as it is in the Writ to the Lords, and it is evident that the Commons in the late Long Parliament made that an advantage for justifying their usurpations against the King in that point; and so in another Parliament, the Commons endeavoured to maintain that the Concurrence of the Lords was not always necessary in an Act of Parliament, because, 1 *Eward* 1. *cap.* 5. in passing that Act against

gainst transportation of Horses, the Lords were casually omitted, yet by the Register of the Lords House, it appears, that, that Bill began first in the Lords House, and there passed, before the Commons took it in debate, and therefore the Kings Council at Law is very curious in wording rightly all Acts before they are brought to the King, and the Clerks of the Parliament as careful in transcribing and registring them: However it is to be wished, that to prevent future mischief to this Nation; some Clauses in the late Act of *Oblivion* and *Indemnity* might be amended, or at least explained, and more especially about the beginning of that Act, these words, *That all manner of Treasons*, &c. *since* January 1637. *and before June* 1660. *by virtue of any Authority from his late Majesty King* Charles, *or his Majesty that now is, be pardoned*, &c.) which words might possibly be foisted in, designedly, to insinuate, as if (according to that most absurd and Traiterous position of some of the Rebellious Members of the Long Parliament) the Kings person or any Commissionated by him, could be guilty of Treason against the Kings Authority, or against his two Houses of Parliament, by pursuing of Rebels to bring them to Justice according to the Laws of the Land. It were also to be desired, that to prevent the great dishonour of making additional and explanatory Acts of Parliament, so frequently as hath of late been done; all considerable

Bills

Bills of Publick concernment, once read in either Houſe of Parliament, may (before they be paſſed) be expoſed to the view of all comers (as antiently among the Romans was uſed) to the end that any other perſon (beſides thoſe of the two Houſes) may within the ſpace of certain days freely propoſe in Writing or otherwiſe, his exceptions, additions, alterations, or amendments, *as hee above.*

When thoſe things for which the Parliament was Summoned, have been ſufficiently treated and brought to a concluſion, then the King doth uſually adjourn, prorogue or diſſolve the Parliament, in manner following.

The *adjournments* are uſually made in the Lords Houſe, by the Lord Chancellor, in the Kings Name, to what other day the King pleaſeth, and alſo to what other place if he think fit to remove them, as ſometimes hath been done, and then all things already debated and read in one or both Houſes, continue to the next Meeting in the ſame ſtate, they were in before the adjournment, and ſo may be reſumed.

In the like manner, the Parliament is Prorogued, but by a Prorogation there is a Seſſion, and then the Bills that were almoſt ready in both Houſes for the Royal Aſſent, not having it, muſt at the reaſſembling of the Parliament begin anew.

The Speaker of the Houſe of Commons upon notice given that it is the Kings pleaſure that Houſe ſhall alſo adjourn, doth

ſay,

say, with the Assent of the House, *The House is Adjourned.*

When the Kings Pleasure is to Prorogue or Dissolve the Parliament, His Majesty commonly cometh in Person with His Crown on His Head, sendeth for all the House of Commons, to come to the Bar of the Lords House, and after the Kings Answer to each Bill signified as afore-mentioned, His Majesty usually makes a Solemn Speech, the Lord Chancellour another, and the Speaker of the House of Commons a third, then the Lord Chancellour by the special command of the King doth pronounce the Parliament Prorogued or Dissolved.

Note, That the King being Head of the Parliament, if his Death doth happen during the sitting of the Parliament, it is, *ipso facto* dissolved.

Anciently, after every Session of Parliament the King commanded every Sheriff to proclaim the several Acts, and to cause them to be duly observed, yet without that Proclamation, the Law intended that every one hath notice by his representative of what is transacted in Parliament: of later times since Printing became common, that Custom hath been laid aside.

The Number of Persons that have Place and Suffrage in both Houses.

TO the Lords House belong now two Dukes of the Royal Blood; 7 other Dukes, 3 Marquisses, 30 Earls, 8 Viscounts, and 67 Barons, in all 116. There are now 2 Archbishops, and 24 Bishops; so that the Total is about 142. But many being under Age, some sick and infirm, others absent in the King's Service, the ordinary number is about 100.

To the House of Commons belong first for the 40 Shires of England two for each, in all 80 Knights; then one for each of the twelve Counties of Wales, 12 Knights. For 25 Cities in England, two to each, and London one, in all 51 Citizens. For the Cinque Ports 16 Barons, for the two Universities two Burgesses for each: For 163 Boroughs there are about 320 Burgesses, but some few of these Boroughs send but one Burgess apiece: Lastly, in each of the 12 Counties of Wales, there is one Borough that sends only one Burgess; so the total Number of the House of Commons, is a little above 500 persons, whereof commonly near 100 are absent upon business or sickness, &c.

Note, That the Barons of the Cinque Ports are of the dignity as other Bar-

gesses in Parliament, but are still called Barons, after the ancient manner, because heretofore they got great Renown by their exploits at Sea, in defending the Kingdom, in Memory whereof, they have got the Priviledge to send Burgesses to bear the Cloth of State over the Kings Head on the day of his Coronation, and to Dine that day in the Kings Presence.

A List of all the Knights, Citizens, Burgesses, and Barons of the Cinque Ports, that, at present, serve in the Parliament of *England*.

Bedford.

Sir *Humphry Winch*, Bar.
Sir *John Napier*, K.
Town of Bedford.
Powlet St. John, Esq;
Sir *William Boothby*, Kt.

Berks.

Richard Neve, Esq;
Sir *Richard Fowle*, Kt. of the Bath.
Borough of New Windsor.
Sir *Richard Bulstrode*, Kt.
Sir *Thomas Higgons*, Kt.
Borough of Reading.
Sir *Thomas Dolman*, Kt.
Richard Allanson, Esq;
Borough of Wallingford.
Sir *John Browne*, Kt. of the Bath.
Robert Packer, Esq;
Borough of Abingdon.
Sir *Geoge Stonehouse*, Bar.

Bucks.

Sir *William Bowyer*, Kt. and Bar.
Sir *William Terringham*, Kt. of the Bath.

Town of Bucks.

Sir *Richard Temple*, Bar.
Sir *William Smith*, Bar.

Borough of Chipping Wicomb.

Robert Sawyer, Esqr
Sir *John Barlow*, Bar.

Borough of Aylesbury.

Sir *Richard Ingoldsby*, Knight of the Bath.
Sir *Thomas Lee*, Bar.

Borough of Agmondesham.

Sir *William Drake*, Kt. and Bar.
Sir *Thomas Frehy*, Bar.

Borough of Wendover.

Richard Hampden, Esqr
Tho. Wharton, Esqr

Borough of Great Marlow.

Peregrine Hoby, Esqr
Charles Cheyney, Esqr

Cambridge.

Sir *Thomas Chicheley*, Kt.
Sir *Thomas Hatton*, Bar.

University of Cambridge.

Thomas Crouch, Master of Arts.
Sir *Charles Wheeler*, Kt. and Bar

Town

Town of Cambridge.

William Lord *Allington.*
Roger Pepis, Esq;

Chester.

Sir Foulke Lucy, Kt.
Thomas Chaloner, Esq;
City of Chichester.
Sir Thomas Smith, Bar.

Cornwall.

Sir Joseph Trelawny, Bar.
Sir John Carteret, Knt.
Borough of Dunheved, alias Launceston.
Sir Richard Edgcumbe, Knight of the Bath.
Sir Charles Hayward Knight, His Majesties Surveyor General.
Borough of Lestward.
John Harris, Esq;
Bernard Greenville, Esq;
Borough of Lostwithiel.
Charles Smith, Esq;
Silas Titus, Esq;
Borough of Truro.
John Arundel, Esq;
Edward Bastwick, Esq;

Borough of Bodmin.

Sir John Carew, Bat.
Hender Roberts, Esq;

Borough of Helston.

Sir William Godolphin, Bat.
Sidney Godolphin, Esq;

Borough of Saltash.

Francis Buller Junior, Esq;
John Buller, Esq.

Borough of Gamelford.

Thomas Coventry, Esq;
Sir Will. Godolphin, Kt.

Borough of Port-Pigham, alias Westlew.

Sir Henry Vernon, Bat.
John Trelawny, Esq;

Borough of Crawpound.

Charles Trevanion, Esq
John Tanner, Esq;

Borough of Estlew.

Henry Seymour, Esq;
Walter Langden, Esq;

Borough of Penryn.

Sir Robert Southwell, Kt.
John Birch, Esq;

Borough of Tregony.

Hugh Boscawen, Esq;
Thomas Herle, Esq;

Borough of Bossiny.

Francis Roberts, Esq;

Bo-

Borough of St. Ives.
James Praed, Esq;
Edward Nosworthy, Esq;
Borough of Fowey.
Jonathan Rashley, Esq;
John Rashley, Gent.
Borough of St. Germains.
John Elliot, Esq;
Edward Elliot, Esq;
Borough of St. Michael.
Humphrey Morice, Esq;
Francis Lord Hawley.
Borough of Newport.
John Spencer, Esq;
Nicolas Morice.
Borough of St. Mawes.
Arthur Spry, Esq;
Sir Joseph Trelawney.
Borough of Killington.
Sir Cyril Wyse, Kt.
Sam. Rolle, Esq;

Cumberland.

Sir George Fletcher, Bar.
Sir John Lowther, Bar.
City of Carlile.
Sir Philip Howard, Kt.
Christopher Musgrave, Esq;

Borough of Cockermouth.
Sir *Wilfred Lawſon*, Kt.
John Clark, Eſqs

Derby.

William Lord *Cavendiſh.*
William Sacheverel, Eſq;
Town of Derby.
John Dalton, Eſqs

Devon.

Sir *John Rall*, Knight of the Bath.
Sir *Coppleſtone Bampfield*, Kt.
City of Exeter.
Sir *James Smith*, Kt.
Robert Walker, Eſqs
Borough of Totnes.
Sir *Edward Seymour*, Bar.
Sir *Thomas Berry*, Kt.
Borough of Plymouth.
Sir *William Morrice*, Kt.
Sir *Gilbert Talbot*, Kt.
Town and Borough of Okehampton.
Sir *Edward Wyſe*, Kt. of the Bath.
Arthur Harris, Eſqs
Borough of Barſtable.
Sir *John Norcot*, Bar.
Nicholas Dennis, Eſqs

Borough

Borough of Plympton.
Sir William Strode, Kt.
Sir Nicholas Slanning, Kt. and Bar.
Borough of Huniton.
Sir Courtney Pool, Bar.
Peter Prideaux, Esq;
Borough of Tavistock.
Sir Francis Drake, Bar.
William Russil, Esq;
Borough of Ashburton.
Sir George Southcot, Kt. of the Bath.
John Fowle, Esq;
Borough of Clifton Dartmouth, Hardness.
William Harbord, Esq;
Josiah Child, Esq;
Borough of Barnstable.
Sir John Maynard Kt. the Kings Serjeant at Law.
Joseph Maynard, Esq;
Borough of Tiverton.
Henry Ford, Esq;
Samuel Fox, Merchant.

Dorset.

Giles Strangways, Esq;
Sir John Strode, Kt.
Town of Poole.
Sir John Morton, Bar.
Thomas Strangways, Esq;

Borough of Dorchester
James Gould, Esq;
John Churchill, Esq;

Borough of Kings Lime.
Sir *John Shaw*, Kt. and Bar.
Henry Henly, Esq;

Borough of Weymouth.
Sir *John Coventry*, Kt. of the Bath
Sir *Winston Churchill*, Kt.

Borough of Kings-Malcombe.
John Man, Esq;
Anthony Ashley, Esq;

Borough of Beidport.
Humphrey Bishop, Esq;
John Strangways, Esq;

Borough of Shaston, alias Shaftsbury.
Henry Whitacre, Esq;
John Bennet, Esq;

Borough of Wareham.
George Pit, Esq;
Robert Culleford, Esq;

Borough of Corfe Castle.
Sir *Ralfe Banks*, Kt.
John Tregonwell, Esq;

Esser.

Baniste Maynard, Esq;
Sir *John Bramston*, Kt. of the *Bath*.

Es-

Borough of Colcheſter.
Sir *Herbottle Grimſtone* Baronet, Maſter of the Rolls.
Sir *John Shaw*, Kt.
Borough of Malden.
Sir *John Tirril*, Kt.
Sir *Richard Wiſeman*, Kt.
Borough of Harwich.
Thomas King, Eſqr
Sir *Capel Luckin.*

Glouceſter.

John Grubham Howe, Eſqr
Sir *Baynham Throgmorton*, Kt.
City of Glouceſter.
Evan Seys, Serjeant at Law.
Borough of Cirencester.
Henry Powle, Eſqr
John George, Eſqr
Borough of Tewkſbury.
Sir *Henry Capel*, Kt. of the Bath.
Richard Dowdeſwell, Eſqr

Herefoꝛd.

John Kyrle, Eſqr.
Thomas Price, Eſqr
City of Hereford.
John Lord *Scudamore.*

Her.

Herbert Westphaling, Esq;
Borough of Leominster.
Reynald Graham, Esq;
Humphrey Cornwall, Esq;
Borough of Weobly.
John Barnaby, Esq;
Sir *Thomas Tomkins*, Kt.

Hertford.

Sir *Richard Franklyn*, Knight and Baronet.
Will. Hale, Esq;
Borough of St. Albans.
Sam. Grimston, Esq;
Thomas Aris, Dr. of Physick.
Borough of Hertford.
Sir *Thomas Bide*, Kt.

Huntingdon.

Sir *Nicholas Pedley*, Kt.
Robert Aprecce, Esq;
Borough of Huntingdon.
Sir *Rob. Cotton*, Bar.
Lyonel Walden, Esq;

Kent.

Kent.

Sir Thomas Peyton, Bar.
Sir John Tufton, Kt. and Bar.
City of Canterbury.
Thomas Hardres, Serjeant at Law.
Sir Edward Masters, Kt.
City of Rochester.
Sir Francis Clerk, Kt.
Richard Head, Esq;
Borough of Maidstone.
Thomas Herlackenden, Esq;
Sir Robert Barncham, Bar.
Borough of Queenborough.
James Herbert, Esq;
Sir Edward Hales, Bar.

Lancaster.

Sir Roger Bradshaw, Kt.
Thomas Preston, Esq;
Borough of Lancaster.
Richard Kirby, Esq;
Richard Harrison, Esq;
Borough or Town of Preston in Amoundernes.
Edward Rigby, Esq;
John Ormay, Esq;
Borough of Newton.
Richard Lord *Gorges.*
Richard Leigh, Esq;

Ba-

Borough of Wigan.
Charles Earl of *Ancram.*
Sir *Geofry Shakerley*, Kt.
Borough of Clitheroe.
Sir *John Heath*, Attorney of the *Dutchy.*
Ambrose Pudsey, Esq;
Borough of Leverpoole.
Sir *William Bucknell*, Kt.
Sir *Gilbert Ireland*, Kt.

Leicester.

John Lord *Roos.*
George Faunt, Esqs
Town of Leicester.
Sir *William Hartop*, Kt.
Sir *John Prettyman*, Kt. and Bar.

Lincoln.

George Vicount *Castleton.*
Sir *Robert Car*, Kt. and Bar.
City of Lincoln.
Sir *Thomas Meres*, Kt
Sir *John Mousin* jun. Kt. of the Bath.
Borough of Boston.
Sir *Anthony Irby*, Kt.
Sir *Philip Harcourt*, Kt.
Borough of Great Grimsby.
Jervas Holles, Esqs
William Broxholme, Esq;
Town of Stamford.
Peregrine Bertue, Esq;
William Montague, Esq;

Re-

Borough of Grantham.
Sir *John Newton*, Bar.
Sir *William Thorold*, Kt. and Bar.

Middlesex.

Sir *Lancelot Lake*, Kt.
Sir *Thomas Allen*, Kt.

City of Westminster.
Sir *Philip Warwick*, Kt.
Sir *Richard Everard*, Kt.

London.
Sir *John Frederick*, Kt.
Sir *William Thomson*, Kt.
William Love, Esqr
John Jones, Esqr

Monmouth.

Sir *Trevor Williams*, Bar.
William Morgan, Esqr

Borough of Monmouth.
Sir *George Probert*, Kt.

Norfolk.

Sir *John Hobart*, Bar.
Sir *Ralph Hare*, Bar.

City of Norwich.
Christopher Jay, Esqr
Francis Carey, Esqr

Town

Town of Lynn Regis.

Robert Wright, Esq;
Sir *Francis North*, His Majesties Attorney General.

Town of Great Yarmouth.

Sir *William Coventry*, Kt.
Sir *William Doyly*, Kt.

Borough of Thetford.

Sir *Allan Apsley*, Kt. and Bar.
Sir *Joseph Williamson*, Kt.

Borough of Castlerising.

Sir *John Trevor*, Kt.
Samuel Pepys, Esq;

Northampton.

Sir *Justinian Isham*, Bar.
George Clark, Esq;

City of Peterborough.

William Lord *Fitzwilliams.*
Sir *Vere Vane*, Kt. of the *Bath.*

Town of Northampton.

Henry Lord *O Bryan.*
Sir *William Farmer*, Bar.

Town of Brackley.

Sir *Thomas Crew*, Kt.
Robert Spencer, Esq;

Borough of Higham-Ferrers.

Sir *Lewis Palmer*, Bar.

Northumberland.

Henry Vicount *Mansfield*
Sir *William Fenwick*, Bar

Town

Town of Newcastel upon Tine.
Sir *Francis Anderson*, Kt.
Sir *William Blacket*, Kt.
Borough of Morpeth.
Sir *George Downing*, Kt.
Edward Lord *Morpeth.*
Town of Berwick upon Tweed.
Edward Gray, Esq;
Daniel Collingwood, Esqs

Nottingham.

Sir *Scrope How*, Kt.
Sir *Francis Leeke*, Kt. and Bar.
Town of Nottingham.
Arthur Stanhop, Esqs
Robert Pierpoint, Esqs
Borough of Eastresford.
Sir *William Hickman*, Bar.
Sir *Edward Deering*, Kt. and Bar.
Borough of Newark.
Sir *Paul Neile*, Kt.
Henry Savill, Esqs

Oxon.

Sir *Francis Warman*, Kt. and Bar.
Sir *Anthony Cope*, Kt. and Bar.
University of Oxon.
Lawrence Hide, Esqs
Tho. Thynne, Esqs
City of Oxon.
Richard Croke, Esqs
Bruno Wharwood, Esq;

Borough of New-Windsor.

Sir *Thomas Spencer*, Bar.
Sir *William Fleetwood*, Kt.

Borough of Banbury.

Sir *John Holeman*, Kt.

Rutland.

Edward Noell, Esq;
Philip Sherrard, Esq;

Salop.

Sir *Francis Hawley*, Bar.
Richard Newport, Esq;

Town of Salop.

Robert Leighton, Esq;
Thomas Jones, Serjeant at Law.

Borough of Bruges, alias Bridgenorth.

Sir *William Whitmore*, Bar.
Sir *Thomas Whitmore*, Kt. of the Bath.

Borough of Ludlow.

Sir *Job. Charleton*, His Majesties Serjeant at Law.
Somerset Fox, Esq;

Borough of Great Wenlock.

Sir *Thomas Littleton*, Kt.
George Weld, Esq;

Town of Bishops-Castle.

Edmund Waring, Esq;
William Oakeley, Esq;

Somerset.

Edward Phillips, Esq;
Sir *Jo. Sydenham*, Bar.

City of Bristol.

Sir *John Knight*, Kt.
Sir *Humphrey Hook*, Kt.

City of Bathe.

Sir *William Basset*, Kt.
Sir *Francis Popham* Kt. and Bar.

City of Wells.

Richard Lord *Butler*, Earl of *Arran*.
Sir *Maurice Berkeley*, Kt. and Bar. Lord *Fitz-harding*.

Borough of Taunton.

Sir *William Portman*, Bar.
Sir *William Windham*, Kt.

Borough of Bridgewater.

Sir *Edmund Windham*, Kt.
Peregrine Palmer, Esq;

Borough of Minehead.

Sir *Jo. Malet*, Kt.
Tho. Windham, Esq.

Borough of Ilcester.

Sir *Edward Phillips*, jun. Kt.
Henry Dunster, Merchant.

Borough of Milborneport.

Francis Windham, Esq;
Michael Mallet, Esq;

South-

Southampton.

Charles Lord St. *John*.
Sir *John Norton*, Bar.

City of Winchester.

Sir *Robert Holmes*, Kt.
Lawrence Hide, Esqr

Town of Southampton.

Sir *Richard Ford*, Kt.
Thomas Knowles, Esqr

Town of Portsmouth.

Richard Norton, Esqr
Sir *George Carteret*, Kt. and Bar.

Borough of Yarmouth.

Richard Lucy, Esqr
Edward Smith, Esqr

Borough of Petersfield.

Thomas Neal, Esqr
Arthur Bold, Esqr

Borough of Newport, alias Medina.

Sir *Robert Dillington*, Kt.
William Glascock, Esqr

Borough of Stockbridge.

Sir *Robert Howard*, Kt.
Robert Pickligh, Esqr

Borough of Newton.

Sir *John Barrington*, Kt. and Bar.
Sir *Robert Worsley*, Bar.

Borough of Christchurch.

Humphrey Weld, Esqr
Henry Tulse, Esqr

Bo-

Borough of Whitchurch.
Giles Hungerford, Esq;
Henry Wallop, Esq;
Borough of Himmingdon.
Sir *William Lewis*, Bar.
Sir *Nicholas Steward*, Bar.
Town of Andover.
John Collins, Esq;
Sir *Kinsmill Lucy*, Bar.

Stafford.

Sir *Edward Littleton*, Bar.
Randolph Egerton, Esq;
City of Litchfield.
Richard Dist, Esq;
Sir *Theophilus Bidolph*, Knight.

Borough of Stafford.
William Chetwinde, Esq;
Borough of Newcastel under Line.
Sir *Cæsar Calclough*, Bar.
Edward Manwaring, Esq;
Borough of Tamworth.
Charles Lord *Clifford*.
John Sweinfein, Esq;

Suffolke.

Sir *Henry Felton*, Bar.
Sir *Samuel Bernardston*, Kt.

Bo.

Borough of Ipswich.

John Wright, Esqr
William Blois sen. Esqr

Borough of Dunwich.

William Wood, Esqr
Sir *John Petiver*, Kt.

Borough of Oxford.

Sir *Allen Broderick*, Kt.
Walter Devereux, Esqr

Borough of Aldborough.

Sir *John Holland*, Bar.
Jo. Bence, Esqr

Borough of Sudbury.

Sir *Robert Cordel*, Bar.
Thomas Walgrave, Esqr

Borough of Eye.

Sir *George Reeve*, Kt. and Bar.
Charles Cavendish, Esqr

Borough of St. Edmunds-bury.

Sir *John Duncomb*, Kt.
William Duncomb, Esqr

Surrey.

Sir *Adam Brown*, Bar.
Sir *Edmund Bowyer*, Kt.

Borough of Southwark.

Sir *Thomas Bludworth*, Kt.
Sir *Thomas Clarges*, Kt.

Borough of Blechingly.

Sir *William Hayward*, Kt.
Sir *Edward Bish*, Kt.

Bar-

Borough of Rygate.

Roger James, Esqr
Sir John Warden, Kt.

Borough of Guildford.

Arthur Onslow, Esqr
Thomas de Maboy, Esqr

Borough of Garton.

Thomas Turgis, Esqr
Sir Nicholas Carew, Kt.

Borough of Haslemere.

George Evelyn, Esqr
Thomas Mawier, Esqr

Sussex.

Sir John Pelham, Bar.
Sir William Morley, Kt. of the Bath.

City of Chichester.

Sir Henry Peckam, Kt. Serjeant at Law.
William Garraway, Esqr

Borough of Horsham.

Sir John Covert, Kt. and Bar.
Sir Orlando Bridgeman, Kt.

Borough of Midhurst.

Reginld May, Esqr
John Steward, Esqr

Borough of Lewis.

Sir John Stanley, Kt. and Bar.
Sir Thomas Wilcocks, Kt.

Borough of New-Shoreham.

Edward Blaker, Esqr
Francis Gosling, Esqr

Bar-

Borough of Bramber.

Sir *Cyril Bishop*, Kt.
Percy Goring, Esq;

Borough of Steyning.

Sir *John Fag*. Bar.
Henry Goring, Esq;

Borough of East-Lissted.

Charles Lord *Buckhurst*.
Sir *George Courthop* Kt.

Borough of Arundel.

Roger, Earl of *Dorset*.
Francis, Lord *Aston*.

Warwick.

Sir *Robert Holt*, Bar.
Sir *Henry Puckering*, alias *Newton*, Bar.

City of Coventry.

Sir *Clement Fisher*, Bar.
Richard Hopkins, Esq;

Borough of Warwick.

Sir *Francis Compton*, Kt.
Fulke Greville, Esq;

Westmerland.

Sir *Philip Musgrave*, Bar.
Sir *Thomas Strickland*, Kt.

Borough of Appelby.

Thomas Tufton, Esq;
John Dalston, Esq;

Wilts.

Henry Lord Cornbury.
Thomas Thin, Esq;
City of New-Sarum.
Sir Stephen Fox, Kt.
William Swanton, Esq;
Borough of Wilton.
Sir John Birkenhead, Kt.
Sir Thomas Mompesson, Kt.
Borough of Downton.
Gilbert Raleigh, Esq;
Sir Joseph Ash, Bar.
Borough of Hindon.
Edward Seymour, Esq; Speaker of the Honorable House of Commons.
Sir George Grubham Howe, Bar.
Borough of Westbury.
Richard Lewis Esq; Dead.
Thomas Hanklyn, Esq;
Borough of Hetsbury.
John Juliffe, Esq;
William Ash, Esq;
Borough of Calne.
William Ducket, Esq;
George Lew, Esq;
Borough of the Devises.
Edward Lewis, Esq;
George Johnson, Esq;
Borough of Chippenham.
Sir Edward Hungerford, Kt. of the Bath.
Francis Wynne, Esq;

Borough of Malmesbury.

Philip Howard, Esq;
Tho. Estcourt, Esq;

Borough of Cricklade.

Sir George Hungerford, Kt.
Sir John Evelyn Kt.

Borough of Great Bedwin.

Henry Clerk, Esq;
Daniel Finch, Esq;

Borough of Ludgarshal.

William Ashburnham, Esq;
George Lee, Esq;

Borough of Old Sarum.

Edward Nicholas, Esq;
Sir Elisb Harvey, Kt.

Borough of Wotton Basset.

Sir Walter St. John, Bar.
John Pitydal, Esq;

Borough of Marlborough.

Sir John Evans, Kt.
Jeoffery Daniel, Esq;

Worcester.

Sir John Packington, Bar.
Samuel Sandys sen. Esq;

City of Worcester.

Sir Rowland Berkley, Kt.
Thomas Street, Esq;

Borough of Droitwich.

Henry Coventry, Esq;
Samuel Sandys, jun. Esq;

Ex-

Borough of Evesham.

Sir John Hanmer, Kt.
Sir James Rushout, Bar.

Borough of Bewdly.

Thomas Foley, Esqr.

York.

Conyers Darcy, Esqr.
Sir Thomas Slingsby, Bar.

City of York.

Sir Metcalf Robinson, Bar.
Sir Henry Thompson, Kt.

Town of Kingston upon Hull.

Anthony Gilby, Esqr.
Andrew Marvel, Gent.

Borough of Knaresborough.

Sir John Talbot, Kt.
William Stockdale, Esqr.

Borough of Scarborough.

Sir Philip Muncton, Kt.
William Thompson, Esqr.

Borough of Rippon.

Sir Jo. Nicholas, Kt. of the Bath.
Sir Edmund Jennings, Kt.

Borough of Richmond.

Sir William Killegrew, Kt.
Marmaduke Darcy, Esqr.

Borough of Hayden.

Henry Guy, Esqr.
Sir Hugh Bethel Kt.

Borough of Corse Burrowbridge.

Sir Rich. Malcolmer, Kt. and Bar.

Henry Goodricke, Kt and Bar.
Borough of Malton.
William Palmes, Esqr
Sir Thomas Gower, Kt. Dead.
Borough of Thirske.
Sir Thomas Ingram, Kt.
Sir William Ingram, Bar.
Borough of Aldborough.
Sir Solomon Swale, Bar.
Sir Francis Godrick Kt. Dead.
Borough of Beverley.
Michael Wharton, Esqr
Sir John Hotham, Bar.
Borough of North-Allerton.
Sir Gilbert Gerard, Kt and Bar.
Roger Talbot, Esqr
Borough of Pontefract.
Sir John Downey, Kt.
Sir William Lowther, Kt.

Barons of the Cinque-Ports.

Port of Hastings.
Edward Waller, Esqr
Sir Denny Ashburnham, Bar.
Town of Winchelsea,
Francis Finch, Esqr
Robert Austin, Gent.
Town of Rye.
Sir John Robinson, Kt. and Bar.
Sir John Austin, Bar.
Port of New-Romney.
Sir Charles Sidley, Bar.
Sir Nevil Knatchbull, Bar.

Port

Port of Hythe.

John Harvey, Esq;
Sir Lionel Jenkyns, Kt.

Port of Dover.

George Montague, Esq;
Tho. Paquier, Esq;

Port of Sandwich.

Jo. Sands, Esq;
James Thurbarne, Esq;

Port of Seaford.

Sir William Thomas, Kt. and Bar.
Nicholas Pelham, Esq;

WALES.

Angleſey.

Nicholas Reynol, Esq;
Town of Beaumaris.
John Robinſon, Esq;

Brecon.

Edmund Prygeon, Esq;
Town of Brecon.
Sir Herbert Price, Bar.

Cardigan.

Edmund Vaughan, Esq;
Town of Cardigan.
Sir Charles Cotterel, Kt.

Carmarthen.

Sir Henry Vaughan, Kt.
Town of Carmarthen.
John Lord *Vaughan*, Kt. of the Bath.

Carnarvon.

Sir Richard Wynne, Bar.
Town of Carnarvon.
William Griffith, Esqr

Denbigh.

John Wynne, Esqr
Town of Denbigh.
Sir John Salisbury, Bar.

Flint.

Sir Thomas Hanmer, Bar.
Town of Flint.
Roger White, Esqr

Glamorgan.

Sir Edward Manfel, Bar.

Town

Town of Cardiff.

Robert Thomas, Esq;

Merioneth.

William Price, Esq;

Pembroke.

Arthur Owen, Esq;
Town of Haverford-West.

Sir *Frederick Hyde*, Kt.
Town of Pembroke.

Rowland Laugharn, Esq;

Montgomery.

Andrew Newport, Esq;
Town of Montgomery.

Henry Herbert, Esq;

Radnor.

Sir *Richard Lloyd*, Kt.
Town of Radnor.

Sir *Edward Harley*, Kt. of the Bath.

Note, that some of these Knights and Burgesses being lately deceased, others are not yet elected in their Room, and the Names of some few Burgesses deceased, are quite left out.

Of the Executive Power in Temporal matters.

A Brief Account of the Legislative Power in Temporal Affairs, having been given, next may be considered the Executive Power in those Affairs, and that is generally in the King, he is the Fountain of Justice; he is the Lord Chief Justice of *England*; and therefore as all the Laws of *England* are called the Kings Laws, because he is *Caput, Principium, & Finis Parliamenti*, by which the Laws are made, and that nothing can have the Force of a Law, but what he wills; so all the Courts of Judicature are called the Kings Courts, and all the Judges of those Courts, are called the Kings Judges.

The highest Court of Judicature in *England* is the House of Lords in Parliament; so that the Parliament is not only *Concilium*, but *Curia*, a Court of Judicature, consisting as afore-mentioned, of all the Lords Spiritual and Temporal, as Judges; and these assisted with the most grave and eminent Lawyers of *England*, both in Common and Civil Law.

To the Judicature of this Supreme and most Honourable Court, all other Courts and Persons that are Subjects of *England*, are subject and accountable for all Crimes

not

not properly tryable, remedial, or punishable in other inferiour Courts of Justice; and to this Court all the Appeals are to be made, and from whose Sentence there lies no Appeal, but to a succeeding Parliament; and this Supreme Judicatory or Judicial Power lies only in the King and House of Lords; and at the Bar of this High Court may the House of Commons, as the grand Inquest of the Nation, impeach the highest Subject of *England*, whether of the Clergy, or of the Laity, as aforesaid, and prosecute them till it come to a Sentence, after which there can be no further proceeding, till the King informed of the whole matter, gives his Royal Assent for the Execution of the said Sentence, or grant his gracious pardon.

In the late Long Parliament, the *House of Commons* pretended to be also a Court of Judicature, and at length usurped a most exorbitant power to the total ruine of Monarchical Government, and it is worth observing, by what Gradations they arrived thereto. In the time of Queen *Elizabeth*, and but before, the Commons began to take upon them (as saith Mr. *Prin*, a Learned Member of that House) to intitle one another for undue Elections, whereas formerly the King and Lords were accounted the sole judges of all Members of the Commons House, and to have the sole power to judge of their undue Elections, Returns, Misdemeanors, Breaches of Privileges, and of all other

matters concerning their Membership; also for freeing any Member from Arrest or Imprisonments, did wholely and solely belong to the Lords, and not to the Commons, unless it were by special Order referred by the Lords to the House of Commons, as heretofore sometimes hath been done.

In the time of King *Charles* the Martyr the Commons went farther, took upon them utterly to expel out of their House some of their Fellow Members, as Projectors and Monopolizers, although they had been duly elected: After this, in the same King's time, they expelled all such as adhered in Loyalty to the King; next they secluded and imprisoned all such as the Officers of the late Rebellious Army impeached, or disliked; then by the help of that Army, 50 or 60 of the Members of that House, expelled all the rest of their Fellows, and soon after, Voted down the King and whole House of Lords, and Voted themselves to be the Parliament, to be the sole Legislators and the Supreme Authority of *England*; into such a prodigious height of folly and Impiety do Men run, when they once allow themselves to pass their due limits.

of

Of the Court of Justice called the Kings-Bench.

FOr the Execution of Laws, after the *House* of Lords in Parliament, the highest Court in *England* is the *Kings-Bench*, so called, because anciently the King sometimes there sate in person on a high Bench, and his Judges on a low Bench at his Feet, to whom the Judicature belongs in the absence of the King.

In this Court are handled the Pleas of the Crown, all things that concern loss of life, or member of any subject; for then the King is concerned, because the Life and Limbs of the Subject belong only to the King, so that the Pleas here are between the King and the Subject. Here are handled all Treasons, Felonies, Breach of Peace, Oppression, Misgovernment, *&c.* This Court moreover hath power to examine and correct all Errors *in facto & in jure* of all the Judges and Justices of *England* in their Judgments and Proceedings, and this not only in Pleas of the Crown, but in all Pleas Real, Personal and Mixt, except only in the *Exchequer*.

In this High Court sit commonly Four Grave Reverend Judges, whereof the First is stiled the Lord Chief Justice of the Kings Bench, and is created not by Patent, but by

by a short Writ, thus: *Matheo Hale Militi salutem. Sciatis quod constituimus vos Justiciarium nostrum Capitalem ad Placita coram nobis tenenda, durante beneplacito nostro, Teste meipso apud Westm.*

The rest of the Judges of the Kings Bench hold their places by Letters Patents in these words, *Rex omnibus ad quos præsentes literæ pervenerint salutem. Sciatis quod constituimus dilectum & fidelem Richardum Rainsford Militem, unum Justiciariorum ad Placita coram nobis tenenda, durante beneplacito nostro. Teste*, &c.

These Judges and all the Officers belonging to this Court have all Salaries from the King, and the chief of them have Robes and Liveries out of the great Wardrobe.

In this Court all young Lawyers that have been called to the Bar, are allowed to Plead and Practice.

This Court may grant Prohibitions to keep other Courts, both Ecclesiastical and Temporal, within their Bounds and due Jurisdiction.

The Jurisdiction of this Court is general, and extendeth to all *England*, is more uncontroulable than any other Court; for the Law presumes that the King is always there in Person.

None may be Judge in this Court, unless he be a Sergeant of the Degree of the Coif, that is a Sergeant at Law, who upon taking this High Degree, is obliged to wear a Lawn Coif under his Cap for ever after.

A List

A List of the several Officers belonging to His Majesties Court of Kings-Bench.

LOrd Chief Justice Sir *Mathew Hale* Knight.

Justices are Sir *Thomas Twisden*, Knight and Baronet, Sir *Richard Rainsford* Knight, Sir *William Wyld* Knight and Baronet.

Clerk of the Crown, Sir *Thomas Fanshaw* Knight, his Secondary *Jasper Waterhouse*, Esquire.

Prothonotary, Sir *Robert Henley* Knight, his Secondary *William Livesay*, Esq;

Marshal or Keeper of the Kings Bench Prison, *William Lenthal*, Esq;

Custos Brevium, *Justinian Paget* Esquire, and *Lewin P.* Esquire.

Richard Alston, *Francis Woodward*, Clerks of the *Paper Office*.

Mr. *Edward Coleman*, Clerk of the Rules.

Mr. *George Spurn*, Clerk of the Errors.

Mr. *Henry Lankard*, Sealer of the Writs.

Richard Salter Clerk for filing the Declarations.

A *Head* Cryer, 2 Under Cryers, and 2 Ushers.

Then there are Filazers for the several Counties of *England*, whose Office is in this

this Court to make out all Process upon Original Writs, as well real as personal, and mixt. They were lately these that follow;

Humphrey Ironmonger, *Edward Parnel*, *James Burk*, *Samuel Astrey*, *Francis Gregg*, *John Hynde*, *Thomas Stone*, *Thomas Leach*, *Gilbert Eveleigh*, *Henry Ewin*, *Joshua Langrige*, *William Oglethorp*, *John Phillips*, *William Osburn*, *Tho. Statham* and *Anthony Rouse*.

The manner of Tryals in this and all other Common Law Courts in *England*, being different from that of all other Countries, and peculiar to *England*, shall be at large described apart in a Chapter with other peculiars.

Of the Court of Common Pleas.

THe next Court for execution of Laws, is the Court of *Common-Pleas*, so called, because there are debated the usual Pleas between Subject and Subject. Some say this Court as well as other Courts, was at first held in the King's House whersoever he resided; but by the Statute of *Magna Charta* it was ordained, that this Court should not be ambulatory, but be held at a certain place, and that hath ever since been in *Westminster-Hall*.

None

None but Serjeants at Law may plead in this Court, and so many of them as the King shall appoint, are bound by oath to assist all that have any Cause depending in that Court.

This Court may grant Prohibitions, as the Court of the Kings Bench doth.

The Chief Judge in this Court is called the Lord Chief Justice of the Common-Pleas, or of the Common Bench; holdeth his place by Letters Patent *durante bene placito*, and so do the other inferiour Judges of this Court, whereof there are commonly three.

In this Court all Civil Causes Real and Personal, are usually tryed according to the strict Rule of the Law.

Real Actions are pleadable in no other Court, nor Fines levied, or Recoveries suffered, but only in this Court at *Westminster*.

The King allows to the Lord Chief Justice of this Court a Fee, Reward, Robes, and two Tun of Wine, as is done to the Lord Chief Justice of the other Bench; also to the other Judges of this Court, and to four Serjeants, is allowed Fees, Reward, and Robes to each one.

In the 11th and 12th of *Edward* 3. there were eight Judges belonging to the *Common Pleas*, at other times seven, six, and five, and so in the time of *Henry* 6. and *Edward* 4. but since usually but four, as at this day.

Be-

Before the Reign of Queen *Mary*, these, and the rest of the Twelve Judges rode upon Mules, and not upon Horses, as they now do, in great State at the beginning of the Term.

A List of the several Officers belonging to His Majesties Court of Common-Pleas.

LOrd Chief Justice Sir *John Vaughan*, Knight, Sir *Hugh Wyndham* Knight, Sir *Robert Atkins* Knight of the Bath, Sir *William Ellis* Knight, these are the present Judges of that Tribunal.

Then there is an Officer called *Custos Brevium*, the first Clerk of the Court, whose Office is to receive and keep all Writs returnable in that Court, to receive of the Protonotaries, all the Records of *Nisi Prius*, called *Postea's*. He holdeth his Place by Patent from the King, and hath the Gift of the second Protonotaries Place, and of the Clerk of the Juries. Sir *Joseph Ash* hath this Office, and doth execute it by his Deputy, *William Thursby* Esquire.

There are Three Protonotaries, a word compounded of Greek and Latine (which with the Antients was usual) and signifies the first Notaries, they are Chief Clerks of

of this Court, and by their Office are to enter and inroll all Declarations, Pleadings which the Filazers did formerly promiscuously do, Assises, Judgments, and Actions, to make our Judicial Writs, &c. These considerable Offices are in the hands of *Thomas Robinson*, *George Townsend*, and *Humphrey Wirley* Esquires. The Chirographer (also from two Greek words signifying to acknowledge a Debt by setting ones hand) is an Officer who ingrosseth Fines acknowledged, &c. He holdeth his Place also by Patent, and is at present Mr *Sparks* in trust for Sir *William Drake*, who doth execute it by a Deputy Mr. *Wayt*.

All these Officers aforementioned sit in the Court covered with black round Caps, according to the mode immediately before the Invention of Hats, which was since the beginning of the Reign of Queen *Elizabeth*. Moreover they are all sworn, and have their Offices for life as a Freehold.

There are in this Court 3 Officers unsworn, and hold their Places *durante bene placito*; One Clerk of the Treasury, Mr. *George Ingram*, who hath the charge of keeping the Records of this Court, and makes out all Records of *Nisi prius*, and divers other things. This Office is in the Gift of the Lord Chief Justice. 2. Mr. *Thomas Sergeant* Clerk of the Inrolments of Fines and Recoveries, who is by Statute under the three puisne Judges of this Court

Court, and removable at their pleasure. Note, That the Inrollment of Fines and Recoveries, or any part thereof by *Stat.* 23. *Eliz. cap.* 3. is of as good force and validity in Law to all intents and purposes, for so much of any of them so inrolled, as the same being extant and remaining, were or ought by Law to be: The general neglect whereof in this Kingdom hath occasioned many Law Suits, and hath proved in process of time exceeding dangerous to many Mens Estate. 3. The Clerk of the Outlawries *Richard Annell* Esquire, who makes out the Writs of *Capias Utlagatum*, after the parties are returned Outlawed) in the Name of the Kings Attorney, whose Deputy he is *pro tempore*.

There are five Clerks more, 1. Clerk of the Kings Silver, *Henry Nurse* Esquire, unto whom every Fine or Final Agreement upon sale of Lands is brought, after it hath been with the *Custos Brevium*, and to whom Money is paid for the Kings use. 2. Clerk of the Warrants, Mr. *Thomas Brown*, executed by a Deputy Mr. *James Mayo*, who entreth all Warrants of Attorney for Plaintiff and Defendant, and inrolleth all Deeds acknowledged before any of the Judges of this Court. 3. Clerk of the Juries, Mr. *John Green*, who makes out the Writs called *Habeas Corpora* and *Distringas Juratorum*, for appearance of the Jury either in this Court, or at the Assizes in the Country. 4 Clerk of the Essoins or Excuses for lawful cause of absence

fence Mr. 6 Clerk of the *Superſedeas*, *Richard Abbot* Eſquire, which is held by Patent, but before King *James* time the Writs of *Superſedeas* were made by the Exigenter.

In this Court are alſo Filazers for the ſeveral Counties of *England*, ſo called from the *French Fil*, a Thred, becauſe they file their Writs. Theſe make out all Proceſs upon Original Writs, and do many other things too long to be here ſet down; of theſe there are 14. viz. *Fabian Philips* Eſquire, who hath *London*, *Middleſex*, *Huntington*, and *Cambridge* Shires. The reſt of the Counties are divided amongſt theſe that follow: Sir *Thomas Stringer* Knight, Sir *Roger Hill* Knight, Mr. *Henry Dottyn*, Mr. *Richard Spicer*, *Francis Gray* Eſqs; Mr. *Tho Winford*, Mr. *Robert Child*, Mr. *Charles Clare*, Mr. *Edmund Le Neve*, Mr. *John Bennet*, *Mark Hildeſley*, Eſqs; Mr. *Thomas Herbert*, *Joachim Matthews* Eſqs; and Mr. *Hughes*, who is Protonotary Filazer, and Exigenter of *Monmouth* by Patent, the reſt in the Gift of the Lord Chief Juſtice, and hold for life.

There are alſo four Exigenters, whoſe Office is to make all Exigents and Proclamations in all Actions where Proceſs of Outlawry doth lie. This Writ is called an Exigent, becauſe it exacteth the Party, that is, requireth his appearance to anſwer the Law, and lies againſt a Tranſgreſſor of the Law that cannot be found,

nor

nor any of his Goods within the County; so that after summons by the Sheriff at five several County Courts, if he appear not, he is outlawed. The four Exigenters at present are, Mr. *Duke*, *John Dawling* Esquire, *Charles Clare*, and Master *Floyer*, all in the Gift of the Lord Chief Justice, and are for life.

There are also belonging to this Court four Cryers and a Porter.

Of the Court called the Exchequer.

THe next Court for Execution of Laws is that called the *Exchequer*, so called as some think, from a Chequer wrought Carpet, covering the great Table in that Court, as the Court of Green Cloth in the Kings House is so called from the Green Carpet, or else from the French word *Eschequier* a Chess board, because the Accomptants in that Office were wont to use such Boards in their Calculations. Here are tryed all causes which belong to the Kings Treasury or Revenue, as touching Accounts, Disbursements, Customs, and all Fines imposed upon any Man. In this Court do sit the Lord Treasurer, the Chancellor of the *Exchequer*, the Lord Chief Baron, and four other Learned Judges called Barons of the *Exchequer*, and

and one other Curſitor Baron, but the two firſt ſeldom ſit, and the five laſt ſeldom fail. The firſt of theſe five is the Principal Judge of this Court, and anſwers the Bar or the Barriſters, who direct their Speech to him, takes Recognizances for the Kings Debts, &c. It is an Office of High Honour and Profit, he is ſtiled Lord Chief Baron, is Created by Letters Patents to hold this Dignity, *Quam diu bene ſe geſſerit*, wherein he hath a more fixed Eſtate then the Chief Juſtices of either Bench, for the Law intends this an Eſtate for Life; in the abſence of the Lord Chief Baron, the other three Barons ſupply his place, according to their Seniority, but the firſt is ſaid to be a Curſitor of the Court, and adminiſters the Oaths to the Sheriffs, Under-Sheriffs, Bayliffs, Searchers, Surveyors, &c. of the Cuſtom-Houſe.

In the *Exchequer* are held two Courts, one of Law, another of Equity.

All Judicial Proceedings according to Law are *coram Baronibus*; but the Court of Equity held in the *Exchequer* Chamber, is *coram Theſaurario, Cancellario, & Baronibus.* This Court had its beginning *Primo Ph. & Mar.*

The Authority of this Court is of Original Juriſdiction without any Commiſſion.

Note alſo, that all the other foremencioned Courts were not Inſtituted by any Statute or Written Law, but have their Origi-

Original from the ancient Custom of the Kingdom.

For a long time after the Conquest, there sat in the *Exchequer*, both Spiritual and Temporal Barons of the Realm, and in latter times there sate in their places others that were not Peers of the Realm, yet stiled Barons, *quia ibi sedere solebant Barones.*

All the twelve Judges belonging to these High Tribunals sit in Robes and Squire Caps, like Doctors of Divinity, because (as some say) they were anciently most commonly Clergy-men and Doctors, Bishops, or Prelates.

A List of the several Officers belonging to His Majesties Court of Exchequer.

In the Upper Exchequer:

THe Kings Remembrancer *Thomas* Lord Vicount *Fanshaw*, in whose Office are Eight sworn Clerks, whereof *John Payn* and *Thomas Hall* Esquires, at present are the two Secondaries; the rest are *Ansel Beaumont*, *Hugh Francland*, *Butler Buggin*, *George Watts*, *Nicholas Sanders*, &c.

In

In this Office pass all the Accounts concerning the Kings Revenue, for Customs, Excise, Hearth-Money, Subsidies, and all Ayds granted to the King in Parliament, and all other Accounts of what nature soever, concerning the Kings Revenue either certain or casual. All Securities either by Bond or Recognizances to the Kings Majesty for any of his Debts are taken here. All Proceedings upon any Statute by Information for Custom, Excises, or any other Penal Law. All Proceedings upon the said Bonds or Recognizances, or any other Bonds taken in the Kings name, by Officers appointed thereunto under the Great Seal of *England*, and transmitted into this Office for recovery thereof. From hence issue forth Process to cause all Accountants to come in and account. In the Court of *Exchequer* there being a Court of Equity, all proceedings touching the same are in this Office, with many other things concerning the Kings Revenue. This Office is in the Kings Gift.

Next is the Lord Treasurers Remembrancer, *John Osborn* Esquire, whose Office is to make Process against all Sheriffs, Receivers, Bailiffs, *&c.* for their Accounts, and many other things of moment, as Estreat-Rules, all Charters and Letters Patents, whereupon any Rents are reserved to the King. In this Office there were heretofore twelve sworn Clerks, whereof the two first were called Secondaries; and whose

whose Names are now *John Tuthil* and *Christopher Barnard* Esquires. This Office also is in the Kings Gift.

Clerk of the Pipe is Sir *Robert Cook* Knight, who hath all the Accounts and Debts due to the King, drawn down out of the Remembrancers Office, and chargeth them down in the Great Roll or Pipe, and therefore probably was it called the Pipe Office. He hath under him eight sworn Clerks, *William Burnet* Esquire, Chief Secondary, *Nicholas Highmore*, *Will. Satterthwayt*, *William Burnet* Junior, &c. Here also Accountants have their *Quietus est*, and here are made Leases of extended Lands.

Comptroller of the Pipe, *Brewster* Esquire, who writeth out Summons twice every year to the High Sheriff, to levy the Farms and Debts of the Pipe; he also keepeth a controlement of the Pipe, that is, keepeth a Roll of the Pipe Office Accounts, whereby to discover any thing that shall be amiss.

Clerk of the Pleas is *Richard Bereford* Esquire, in whose Office all the Officers of the *Exchequer* and other Priviledged Persons, as Debtors to the King, &c. are to have their Priviledge to plead and be impleaded, as to all matters at the Common Law. And the Proceedings are accordingly by Declarations, Pleas, and Trials as at the Common Law, because they should not be drawn out of their own Court, where their attendance is required

quired. In this Office there are four sworn Attorneys, viz. *Thomas Arden*, *Richard Ogden*, *Thomas Haynes*, and *Robert Cuts*

Foreign *Opposer* is *Charles Whitaker* Esquire, whose Office is, whereunto all Sheriffs repair, to be by him opposed of their *Green Wax*, and from hence is drawn down a charge upon the Sheriff, to the Clerk of the Pipe; this Office is kept in *Grays-Inn*.

Clerk of the *Estreats*, *William* Esquire, whose Office is to receive, every Term, the Estreats or Extracts out of the Office of the *Remembrancer* of the Lord Treasurer; and to write them out, to be levied for the King also, to make Schedules for such Sums as are to be discharged.

Auditors of the *Imprest*, *Godolphin*, and *Robert Wylde* Esquires, who *Audit* the great Accounts of the Kings Customs, Wardrobe, Mint, First-fruits and Tenths, Naval and Military Expences, Moneys Imprested, &c.

Auditors of the Revenue there are seven, Sir *Edmund Sawyer* Knight, *John Phipps* Esquire, Sir *Joseph Seymour* Knight, *Aldworth*, *Forster*, *Mayer*, Esquires, and Sir *William Godolphin* Knight. These *Audit* all the Accounts of the Kings other Revenue, that arise by *Aids* granted in Parliament.

Remembrancer of First-fruits and Tenths, *James Roger* Esq; whose Deputies *George Farrington* and *William Prettyman*, take

all Compositions for First-fruits and Tenths, and make process against such as pay not the same: this Office is kept in *Hatton Garden*.

There are also two other considerable Officers, called Deputy-chamberlains, Mr. *Vines* and Mr. *Lawrence*, in whose Office at *Westminster* are preserved all the Counterfoils of the Tallies, (whereof more anon) so exactly ranged by Months and Years, that they may perfectly be found out, to be joyned with their respective Stock or Tally, when thereunto required; which being done, and proving true, they deliver the same, entitled for a lawful Tally to the Clerk of the Pipe, for to be allowed in the great Roll, but in case any corruption hath been used, the same is easily and soon discovered, and the Offender severely punished by Fine and Imprisonment.

There are also divers other Officers, as Clerk of the Parcels, Clerk of the Nichils, Marshals, Usher of the *Exchequer*, whose Office is executed by a Deputy; also four Under Ushers.

Of

Of the other part of the Exchequer, *called by some the* Lower Exchequer, *where the Kings Revenue is Received and Disbursed, with admirable Order and Frugality.*

THe Principal Officer is the Lord *Treasurer*, of whom see the *First Part of the Present State of* England.

This Office, upon the Resignation of the late Lord *Clifford*, was conferred upon the right Honourable the Lord Vicount *Latimer*, since created Earl of *Danby*.

There is one Secretary, *Charles Bertus* Esq; Brother to the Earl of *Lindsey*.

Next is the Chancellour of the *Exchequer*, who is also an Officer of great Account and Authority; he hath a Principal power, not onely in the *Exchequer* Court, but also here in the managing and disposing of the Kings Revenue: He hath also the Custody of the *Exchequer Seal*. This Office is now enjoyed by Sir *John Duncomb*.

Then there are two Chamberlains of the *Exchequer*, *Sir Nicholas Steward*, and Mr. *Hyldiard*, in whose Custody are many Antient Records, Leagues and Treaties

with Foreign Princes, the Standards of Moneys, Weights, and Measures, those ancient famous Books called *Doom-day*, and the *Black-Book* of the *Exchequer*; whereof the former is *Liber Consuetudinum Angliæ*, the *Tax-Book* of *England*, made by *William* the Conqueror, wherein is described all the Lands of *England*, with the true value, and their Owners names; it was six years in making, viz. from the 8th. to the 14th. year of that King, and called at first *Rotulus Wintoniæ*, but since named *Doom-Day-Book*, because therein was set down an exact Account, not only of all the Cities, Towns, and Villages of *England*, but the number of Families, of Men, Souldiers, and Husbandmen, Londmen, Servants, Cattel; how much Money, what Rent, how much Meadow, Pasture, Wood, Tillage, Common, Marsh, Heath, every one possessed: and when any one was cited, or any difference arose about those things or Taxes, &c. there was no place for denying or deceiving the King (wherein many men now make little conscience, though all good Christians ever accounted it a grievous and heinous sin) when this *Book* was opened, like as it will be at the opening of the *Book* at the Great Day of Doom, or General Judgment of the World. This *Book* is kept under three Locks and Keys, not to be look'd into under 5 *l.* and for every Line transcribed is to be paid 4 *d.*

Next

Next is the *Auditor* of the Receipts, Sir *Robert Howard*, whose Office is to file the Bills of the Tellers, whereby they charge themselves with all Money received, and to draw all Orders to be signed by the Lord High Treasurer, for issuing forth all Moneys by vertue of Privy-Seals, which are recorded and lodged in his Office. He also makes Debentures to the severs' Persons, who have Fees, Annuities, or Pensions by Letters Patents, from the King, out of the *Exchequer*, and directs them for payment to the Tellers. He receives every week the state of the Account of each Teller, and also weekly certifies the whole to the Lord High Treasurer, who immediately presents the Estimate or Ballance to the King. He takes the Tellers Accounts in gross at *Easter* and *Michaelmas*. By him are kept the several Registers appointed for paying all persons in course upon several Branches of the Kings Revenue. He is *Scriptor Talliorum*, hath five Clerks to manage the whole estate of Moneys received, disbursed, and remaining.

Next there are four Tellers, *Laurence Squib*, *Laving*, Esquires, Sir *George Downing*, and Sir *William Daly* Knights. Their Office is to receive all Moneys due to the King; and thereupon to throw down a Bill through a Pipe into the Tally-Court, where it is received by the Auditors Clerk, who there attends to write the words of the said Bill upon a

Tally, and then deliver the same to be entred by the Clerk of the Pells, or his under Clerk, who there attends to enter it in his *Book*; then the Tally is cloven by the two Deputy-Chamberlains, who have their Seals; and while the Senior Deputy reads one part, the Junior examins the other part with the other two Clerks.

Clerk of the Pells is *William Wardour* Esquire, whose Office is to enter every Tellers Bill into a Parchment Skin, (in Latine *Pellis*, whence this Office hath its name) all Receipts and Payments for the King, for what cause, or by whomsoever; and is in nature of a Comptroller, hath four Clerks, whereof one is for the *Introitus*, and another for the *Exitus*. Moreover he is to make weekly, and half-yearly Books, both of the Receipts and Payments, which are delivered to the Lord Treasurer.

In the Tally-Court sit the Deputies of the two Chamberlains, *Edward Falconbridge* and *John Lew* Esquires, who cleave the Tallies, and examine each piece apart.

A Tally in the *Exchequer*, from the French Verb *Tailler*, to cut, is a very antient and most certain way of avoiding all coxenage in the Kings Revenue; the like no where else in Christendom, and is after this manner:

He that pays the King any Moneys, receives for his Acquittance a Tally, that is, the one half of a stick cloven, with certain pro-

proportionable Number thereon, expressive of the Sum from the first Deputy-chamberlain, who keep the other cloven part of the Stick, called the Foyl, and deliver it to the Tally-Jayners on the other side of the *Exchequer*, who are also Deputies to the Chamberlains, and they join it with the Foyl, which agreeing, they give it their Test, and seal it by an Officer of their own to the Pipe, where their *Quietus est* is engrossed in Parchment.

Other Officers in the *Exchequer* are the two Ushers, *Robert* and *Philip Packer* Esquires, whose Office is to take care to secure the *Exchequer* by day and by night, and all the Avenues leading to the same, and to furnish all necessaries, as Books, Paper, &c.

There is also a Tally-Cutter, and four Messengers.

By long continuance, and the wisest contrivances that the ablest Men of many Ages could invent, the *Exchequer* of the King of *England* is become the best ordered Publick Revenue in the world.

Though the number of Officers in the *Exchequer* is far greater than in any other of the Kings Courts, yet not near so great as the Financiers and other Officers belonging to the Revenues of the French King, who are so many, that their Fees eat up a very considerable part of the whole Revenue: whereas for rewarding all the Officers in the *English Exchequer*, whereof most are ever persons of Estates, Parts, and

great Integrity, it costs the King a very inconsiderable sum of money, as will easily appear to any one who shall consider, that in case of a gift from the King of Moneys or Pension out of his *Exchequer*, he that receives it, pays but 5 *l. per Cent.* amongst the Tellers, Auditors, Clerk of the Pells, and their Clerks, and to all other Officers whatsoever; and, which is remarkable, there goes not amongst the said Officers and Clerks so much as 5 *s. per Cent.* out of Publick Payments, as for the Navy, Ordnance, Wardrobe, Mint, to the Collector, Treasurer of the Chamber, *&c.*

In case of Moneys paid in by any of the Kings Tenants, Receivers, it costs them sometimes but 6 *d.* and at most but 3 *s.* for every payment under a thousand pounds; and that goes onely to the Clerks for their pains in writing and attending.

The bringing in of all Moneys to the King, costs His Majesty, amongst Receivers, Collectors, and all others in the Country, not above 2 *s.* in the pound; and at his *Exchequer* it costs him in a manner nothing at all; for the Tellers, who are bound to the King in 20000 *l.* security, for the true discharge of their great Trust, have under 83 *l. per An.* for their Salary from the King, and the two Clerks of each Teller, who constantly attend their Office, have nothing at all from the King.

The

The Court of the Dutchy of Lancaster.

THere is another Court at *Westminster*, called the Court of the Dutchy of *Lancaster*, which takes Cognizance of all Causes that any way concern the Revenue belonging to that Dutchy, which hath been long since annexed to the Crown.

The Chief Judge of this Court is the Chancellor of the Dutchy, who is assisted by the Attorney of the Dutchy. There are divers other Officers of this Court, a List of whose Names here follow.

Sir *Robert Carr*, Chancellor, and one of His Majesties most Honourable Privy Council, Sir *John Heath*, Attorney General, Sir *John Curzon*, Receiver General, Sir *Thomas Trevor*, Knight of the Bath, and *John Fanshaw* Esqr Auditors. Sir *Gilbert Gerrard*, Clerk of the Dutchy, *Thomas Desborough*, Messenger. This Court is kept at *Westminster* by the Lords Exchequer, and the Office of Sir *Gilbert Gerrard* at *Grayes-Inn*.

Of the High Court of Chancery.

NExt to the *Kings-Bench* in *Westminster-Hall*, is wisely placed this High Court, to mitigate the rigour of that; it is called *Curia Cancellaria*, as some judge, because, as some think, the Judge of this Court sate anciently *Intra Cancellos*, or *Lattices*, as the East end of our Churches being separated *per Cancellos*, from the Body of the Church, as peculiarly belonging to the Priest, were thence called *Chancels*.

This Court is the *Officina Justicia*, the Womb of all our Fundamental Law, the Fountain of all our proceedings in Law, the Original of all other Courts. It is as antient as the Civility of the Nation, though perhaps by another name.

This Court proceeds either ordinarily, according to the Laws, Statutes, and Customs of the Nation, and in Latine, granting our Writs Mandatory, and Remedial; Writs of Grace, or else according to Equity and Conscience, and by English Bill: So that the *Chancery* hath two Courts in one: The equitable part is by Bills, Answers, and Decrees, to examine Frauds, Combinations, Trusts, Secret uses, &c. to moderate the Rigour of the Law, and relieve

m.a

men out of the hands of their Oppressors. To relieve a man, especially in three things, viz. against Cheats, unfortunate Accidents, and breaches of Trust.

Out of this Court issue out Writs or Summons for Parliaments, Edicts, Proclamations, Charters, Protections, Safe Conducts, Writs of *Moderata Misericordia*, when any person hath been amerced too high, and for a reasonable part of goods for Widows and Orphans, Patents for Sheriffs, Writs of *Certiorari* to remove Records, and false Judgments in Inferiour Courts, Writs of *Audita Querela*, and *Scire facias*; here are Sealed and Inrolled Letters Patents, Treaties and Leagues with Foreign Princes, Deeds between Party and Party touching their Lands and Estates, or Purchasers taking Recognizances, and making of Extents upon Statutes and Recognizances for payment of Monies, or securing of Conusees, Writs Remedial or Magisterial, Commissions of Appeal, Oyer and Terminer, &c. The Court of *Common Pleas*, which are between Subject and Subject, hath its Original, and Commissions from the *Chancery*, and cannot hold Pleas without it.

For the Latine part of this Court, are the Twenty four Cursitors; and for the English part, are the Six Clerks.

The Court of *Equity* that proceeds not according to Law, is no Court of Record, and therefore binds only the Person, not his Lands or Goods.

The

The Judge of this Court is the Lord Chancellor, or Lord Keeper of the Great Seal of *England*. He is here the sole Judge, whereas in other Courts there are three or four Judges, but he may and doth often in cases of greater weight and difficulty, in cases of Law, call some of the other Judges to his assistance; and therefore it is said, this Office may be discharged by one that is no professed Lawyer, as it was almost always anciently; and so of later times by Sir *Christopher Hatton*, and after by Doctor *Williams* Bishop of *Lincoln*, to their great praise and commendation.

It is the highest Dignity in *England* that a Lay-man is capable of, it is *Summum ambitûs animi quasi Solstitium*; and the Chancellour is *Magistratuum omnium Antistes*.

Anciently the Lord Chancellor had sometimes his Vice-Chancellor, commonly called, *Keeper of the Great Seal*; but of later times they differ only in name.

In *France*, he that is made Chancellor is *Durante Vitâ*, his Place cannot be taken away, although the Seals may. It is said there, that he is so to attend to the sole interest of the King and People, that he must not be sensible of any Relations or other consideration; and therefore he may not put himself in mourning, neither for his own Father, nor for the King Himself.

Chan-

Chancellours have been in *England*, as the Learned *Dugdale* finds, as soon as Christianity was embraced by the *Saxons*.

The Chancellour is said to be Keeper of the Kings Conscience, to judge *Secundum æquum & bonum*, according to Equity and Conscience; he is to moderate the *ἀκριβολίαν*, the exact Rigor and Letter of the Law, whereunto other Judges are strictly tied: For the Princes of this Realm, (in imitation of the King of Kings, governing the World by *Justice* and *Mercy*) have erected two supreme Tribunals together, at the upper end of *Westminster Hall*; one of *Justice*, wherein nothing but the strict Letter of the Law is observed; and the other of *Mercy*, wherein the Rigour of the Law is tempered with the sweetness of Equity, which is nothing else but *Mercy* qualifying the sharpness of *Justice*.

This Court being a Court of Conscience, the less it is perplexed with the quirks of Lawyers, the more it is guided by Conscience and Equity; and therefore the Kings of *England* would have this Court Superiour to the other Tribunals, that so if any thing was done amiss by those following the Rigor of the Law, here, by good Conscience and Equity, it might be amended: wherein they followed the noble Pattern of the *Great Constantine*, *Quo omnes suas leges imperfectas esse voluit, ut inde subditi sui appellarent ad Episcopos*; and therefore in all former times, the Judges of this Court were chosen out of the Clergy, able

able Divines, who by their skill in the Law of God, and of Nations, were best able to judge according to Moderation and Equity, and most willing to execute accordingly; also fittest to dispose of the Kings Spiritual Benefices.

Besides, when this High Office was given to Bishops and Clergy-men, and thereby wealth and a publick spirit, usually conjoyned, what great Publick Acts of Piety and Charity, were done by them for this Nation? To mention onely in *Oxford*, What Noble and Rich Foundations are *Christ-Church*, *Magdalens*, *New College*, and *Merton-College*? All founded by Bishops that were Chancellours; and on the contrary, since the places of Chancellour, Treasurer, Privy Seal, *&c.* have been usually in the hands of Laymen, what one great work hath been done for the Publick, but onely wealth heaped up for their own private Families.

The manner of Proceeding in this Court, is much like that in the Courts of the Civil Law, the Actions by Bill or Plaint, the Witnesses examined in private, the Decrees in English or Latin, not in French. No Jury of Twelve Men, but all Sentences given by the Judge of the Court.

The Chancellor or Lord Keeper hath Twelve Assistants, anciently called *Clerici*, or *Magistri Cancellariæ*, because they were usually in Holy Orders, and all Doctors of Laws, for Master and Doctor was anciently the same, as at this day, a Doctor in

in the Arts, is called *Magister in Artibus*.

The first of these is called *Master of the Rolls*, a place of great Dignity; and is in the gift of the King, either for life, or during His Majesties pleasure: and this Officer hath *Jure Officii*, the gift of those considerable Officers of the Six Clerks in *Chancery*, hath the keeping of the Rolls, hath the House of the *Converted Jews* now called the *Rolls*, and in the absence of the Chancellour hears Causes, and makes Orders by Vertue of a Commission, with two Masters, and that *Jure Officii*.

One reason why the *Masters of Chancery* were ever *Civilians*, may be, because for all Cases almost imaginable, some Law or Case conformable thereunto, may be fetched by a good *Civilian* out of that Law of Laws, called the *Civil Law*. Another may be, because the *Chancery* more antient then in any other Court of *England* (for all Original Writs and Commissions; whereupon the other Courts do ground all their proceedings do come from thence) hath probably been taken from the *Civil Law*, divers points of proceedings not used in Common Law Courts, as the Defendants answering to the Bill, and sometimes to the Interrogatories upon Oath, though to the accusing of a Mans self, in divers matters dammageable, and penal; also by the whole manner of publication, the depositions of Witnesses, by the examining of Witnesses upon Interroga-

tories,

tories, and *in perpetuam rei memoriam*, by the term and use of final Decree, and many other points differing from the Common Law, and wholly agreeing with the Civil Law.

This Court is always open, whereas all the others are shut, but only in Term time; so that if a Man be wrongfully imprisonned, in the Vacation time out of Term, the Lord Chancellour may grant his Writ of *Habeas Corpus*, and do him Justice according to Law; So likewise may this Court grant Prohibitions in time of Vacation, as well as in Term time.

A List of the several Officers belonging to the High Court of Chancery.

HEneage Lord *Finch*, Lord Keeper of the Great Seal of *England*.

Then the twelve Masters of the Chancery, as followeth,

Sir *Harbottle Grimston* Baronet, Master of the *Rolls*.

Sir *William Childe* Knight, Doctor of Laws.

Sir *Thomas Eſcourt* Kt.

Sir *Mundeford Brampton* Knight, Doctor of Laws.

Sir *Nathaniel Hobart*, Kt.

Sir *William Glaſcock*, Kt.

Sir *John Coel*, Kt.

Sir *Timothy Baldwin*, Knight, Doctor of Laws.

Sir *Andrew Hacket*, Kt.

Sir *William Beverſham*.

Edw. Low, Doctor of Laws.

William Pargiter Eſqs.

The Houſe founded, at firſt, for the Converted Jews, was, after their expulſion out of *England*, annexed for ever to the Office of Maſter of the *Rolls*, where he hath the cuſtody of all Charters, Patents, Commiſſions,

sions, Deeds, Recognisances, which being made up in Rolls of Parchments gave occasion of the Name.

At present there are kept all the Rolls since the beginning of *Henry* the Seventh, the rest are kept in the Tower of *London*.

In his gift are, besides the Six Clerks Offices, the Offices of the Examiners, and three Clerks of the Petti-bag.

Next Clerk of the Crown, *Henry Barker*, Esquire, before mentioned: This Office is of high importance; he is either by himself or Deputy, continually to attend the Lord Chancellour for special matters of State, and hath a place in the Higher House of Parliament: he makes all Writs for Elections of Members of Parliament sitting in the Parliament, upon Warrant directed to him upon the death or removal of any Member; and also Commissions of Oyer and Terminer, Gaol Delivery, Commissions of Peace, and many other Commissions for distributing Justice to His Majesties Subjects: which Office is executed by Mr. *Agar* as Deputy.

Protonotary of this Court is *Robert Pesced* Esquire; this Office is chiefly to expedite Commissions for Embassies.

It is executed by a Deputy.

Clerk of the *Hamper* or *Hanaper*, sometime stiled Warden of the *Hanaper*: Whose Office is to receive all the Money due to the King for the Seals of Charters, Patents, Commissions and Writs, and to at-

attend the Keeper of the Seal daily in Term-time, and at all times of Sealing, with Leather Baggs now (but anciently probably with Hampers) wherein are put all sealed Charters, Patents, &c. and then those Baggs delivered to the Comptroller of the *Hamper*. This Office is now enjoyed by *Henry Seymour* Esquire, and executed by a Deputy, Mr. *Edward Seymour*.

Warden of the *Fleet*, or Keeper of the *Fleet-Prison*, is an Office very considerable, and is to take care of the Prisoners there, who are commonly such as are sent thither from this Court, for contempt to the King or his Laws, or such as will not pay their Debts, &c. The present Warden is Sir *Jeremy Whitchcott*: It is executed by a Deputy.

Sergeant at Armes is Sir *George Chomocke* Knight, whose Office is to bear a great gilt Mace before the Lord Chancellour or Keeper for the time being.

Six Clerks are Officers of great account next in degree to the Twelve Masters in *Chancery*, whose Office is to inroll Commissions, Pardons, Patents, Warrants, &c. that are passed the Great Seal. They were anciently *Clerici*, and afterwards forfeited their places if they did Marry, till by Act of Parliament, in the time of *Henry* the Eighth, they were allowed to take Wives.

They

They are also Attorneys for Plaintiffs and Defendants, in causes depending in this Court.

The present six Clerks, Sir *John Marsham* Kt. and Bar. *Matthew Pindar* Esq; *Matthew Block* Esq; Sir *Cyril Wyche*, Kt. *John Wilkinson*, Esq; and *Edward Abney* Doctor of Laws, who keep their several Offices, at a place called the Six Clerks Office in *Chancery Lane*, and constantly keep Commons together in the Term time.

Examiners in *Chancery* there are two, Sir *Robert Peyton*, and Sir *Nicholas Strode*. Their Office is to examine the Witnesses on their Oaths in any Suit on both sides.

This Office also is executed at the Rolls.

Clerks of the Petty Bag in *Chancery* are three, *Edmund Warcup* Esq; *John Hobson* Esq; and *George Law* Esq; they are under the Master of the *Rolls*. Their Office is to make all Patents for Customers, Comptrollers all *Congé d'eslires*, first Summons of Nobility, Clergy, Knights, Citizens, and Burgesses to Parliament, &c.

The *Subpœna* Office is to issue out Writs to summon persons to appear in Chancery.

This Office is in the hands of *Frances* Lady *Vane*, Sir *Walter Vane*, and *Charles Vane*, and executed by their Deputy Mr. *Isaac Harper*.

Clerk of the Patents or of Letters Patent under the Great Seal of *England*, is Sir *Richard Pyger*, and executed by a Deputy, erected 16 *Jac.*

The

The Register of the Court of Chancery the Earl of St *Albans*, under whom are Deputy Registers, viz. *William Goldesborough* Esq; and *Henry Devenish* Gent. Registers for the Court, *John Sanford*, and *George Edwards* Gent. Registers for the Rolls, *Carew Guidot*, and *Robert Devenish* Gent. entring Clerks, and *Francis Cliffe* Clerk of the Reports, and Keeper of the old Book.

The Office for filing all Affidavits in the said Court of Chancery, is an Office granted by Letters Patents, the Lady *Wingfield* relict of Sir *Edward Wingfield* lately Deceased, having the present interest therein.

Cursitors Office in the *Chancery*, is to make out original Writs, they were anciently called *Clerici de cursu*, of these there are twenty four, whereof each one hath certain Counties and Cities allotted to them, into which they make out such Original Writs as are required. These Clerks are a Corporation within themselves; and are all persons of Quality whose Names follow.

The

The Names of the Cursiters are these that follow.

HEnry Edmonds, Principal.
William Barker, *William Adderley*, Assistants.

George Norbury, *Abr. Nelson*, *Rich. Price*, *Michael Terry*, *John Symonds*, *James Mynde*, *John Norbury*, *Richard Cresse*, *Edmund Eyre*, *Abr. Skinner*, *Jo. Shelbury*, *Will. Plumpton*, *Thomas Fisher*, *Elias Gladman*, *Roger Twisden*, *Ben. Stocke*, *Richard Plumpton*, *William Lee*, *H. Amhurst*, *Philip Bearecroft*, *John Parmer*; who execute these Offices by themselves, or by their Deputies. This Office is kept near *Lincolns-Inn*.

Secretary of the Presentation of Spiritual Benefices, *Henry Frederick Thynne* Esq;
Commissioners, Sir *George Courthrop*, Sir *Edm. Turner*, *Halsal* Esqs
Alienation Office, *N. Crew* Esq;
Receiver Gen. *Jo. Nichols*.

All the forementioned Courts of Judicature at *Westminster*, are opened four times the year, call'd the four *Terms*, *viz. Easter Term*, which beginneth alwayes

ways the *seventeenth* day after *Easter*, and lasteth 27 dayes. *Trinity Term* begins the Fifth day after *Trinity Sunday*, and lasteth 20 dayes. *Michalmas Term* began heretofore a little after that Feast, but now by a late Statute, begins the 23 of *October*, and lasteth 37 dayes. Lastly, *Hilary Term* begins now 10 dayes after St. *Hilary* Bishop, or the 23 of *January*, and lasteth 21 dayes; so in all 105 dayes, from whence must be deducted about 20 Sundayes and Holy-dayes, which are as the *Dies Nefasti*, wherein the Courts sit not: so that in one fourth part of the year, and that in one City, all considerable causes of the greatest part of *England* are fully decided and determined; whereas in forreign parts the Courts of Justice are open all the year, except high Holy-dayes, and Harvest, and that in all great Cities. This may seem therefore strange to all Forreigners, till they know that the *English* have always been given more to peaceableness and industry then other people, and that rather than go so far as *London*, and be at so great Charges with Attourneys and Lawyers, they will either refer their differences to the Arbitration of their Parish Priests, who do, or ought to think it a principal part of their Duty to reconcile Differences within their Parishes; or to the Arbitration of honest Neighbours, or else are content to submit their Differences to tryal before the Judges of *Assises*, called also *Justices in Eyre*, or the Itinerant Judges, who twice

a year, viz. after the end of *Hilary Term*, and after the end of *Trinity Term*, two by two of these principal Judges, ride several Circuits, and at the principal Town of every County, sit to hear and determine all Causes of lesser moment, both Civil and Criminal; a most excellent wise Constitution, begun by King *Henry* the Second, *Anno* 1176. who at first divided *England* into six Circuits (not the same that are now) and to each Circuit allotted three Judges. *Wales* also is divided into two Circuits, *North* and *South Wales*, for which are designed in like manner two Sergeants at Law for each Circuit. These Judges give Judgment of the *Pleas* of the Crown, and all Common Pleas within those Counties, dispatching ordinarily in two or three days all Controversies in a County that are grown to issue in the forementioned Courts at *London*, between Plaintiffs and Defendants, and that by their Peers: a Jury of Twelve Men, *ex vicineto*, out of the Neighbourhood, where about the business lies. So that twice a year, in *England* and *Wales*, Justice may be said to be rightly and speedily administred even at our own doors.

Besides the forementioned Courts at *Westminster*, *Henry* the Eighth erected for the more ease of the Subject, a Court in the *North* of *England*, another for the Countrey of *Wales*, and Counties adjoyning; and intended another for *Cornwal* and *Devonshire*; and these in manner of those Courts

Courts, called in *France Parlements*, where all Cases might be decided both according to the Laws of *England*, and according to Equity in *Chancery*: Of these Courts, that for *Cornwall* was never fully erected, those people desiring rather to come to *London* for Justice; that of the *North*, was by the late Long Parliament taken away, and so was that of *Wales*; but this last since the Restauration of the King again erected. Of this Court or Council of the Marches of *Wales* is a Lord President, at present the Lord *Vaughan*, Earl of *Carbury*, divers Councellors, Secretary, Attourney, Sollicitor, Surveyor, who have Salaries from his Majesty.

HAving given a brief Account of the Civil Government of all *England* in General; next shall be described the particular Government of Counties, Hundreds, Cities, Burroughs, and Villages.

For the Civil Government of all Counties, the King makes choice of some of the Nobility, Clergy, Gentry, and Lawyers, Men of worth and parts, who have their usual residence in the County, so many as His Majesty pleaseth, to keep the Peace of the County, and these, by Commission under the Great Seal, are called Justices of Peace, at first stiled Wardens of the Peace, and such of them in whom the King doth more particularly confide, or respect,

are called Justices of the *Quorum*, from those words in the Commission, *Quorum A. B. unum esse volumus*, that is, some business of more importance, may not be transacted without the presence or concurrence of one of them.

One of the principal Justices of Peace and *Quorum*, is by the Lord Chancellour made *Custos Rotulorum*, so called, because he hath the Custody of the Rolls, or Records of the Sessions, and is to bring them to each Quarter-Sessions.

The Original of Justices of Peace is from the first year of *Edward* the Third.

Their Office is to call before them, examine and commit to Prison all Thieves, Murderers, Wandring Rogues, those that hold Conspiracies, Conventicles, Riots, and almost all other Delinquencies that may occasion the breach of peace and quiet to the Kings Subjects; to commit all such to prison, as either cannot, or by Law are not, to be bailed (that is, cannot be set at liberty by Sureties, taken for their appearance at a place and time certain) and to see them brought forth in due time to Tryal.

Every Quarter or three months, the Justices meet at the Chief or Shire-Town, where the Grand Enquest or Jury of the County is summoned to appear, who upon Oath, are to inquire of all Traitors, Heretics, Thieves, Murderers, Money-Coiners, Riots, &c. Those that appear to be guilty, are by the said Justices committed

ted to prison, to be tryed at the next Assizes, when the Judges of *Westminster* come their Circuits aforementioned.

For execution of Laws in every County except *Westmorland* and *Durham*; the King every *Michaelmas Term*, nominates for each County, a Sheriff, that is, a *Reeve* of the Shire, *Præpositus*, or *Præfectus Comitatus*, a Governour, or Guardian of the County, for the words of the Patent are, *Commissimus tibi Custodiam Comitatus vestri de* N.

The Sheriffs Office is to execute the Kings Mandates, and all Writs directed to him out of the Kings Courts, to empannel Juries, to bring Causes and Criminals to Tryal, to see the Sentences both in Civil and Criminal Affairs executed; to wait on and guard the Itinerant Judges twice a year, so long as they continue within the County, which at the Assizes is performed with great Pomp, Splendor, Feasting, &c. In order to the better execution of his Office, the Sheriff hath attendance his Under-Sheriff, divers Clerks, Stewards of Courts, Bayliffs of Hundreds, Constables, Gaolers, Sergeants or Bayliffs, besides a gallant Train of Servants in rich Liveries, all on Horseback at the Reception of the Judges.

He was anciently chosen as Knights of the Shire, but to avoid Tumults it is now thus.

Every year about the beginning of November, the Judges Itinerant nominate six

fit Men of each County, that is Knights, or Esquires of good Estate, out of these the Lords Chancellor, Treasurer, Privy Councellors, and 12 Judges assembled in the *Exchequer Chamber* and sworn, make choice of three, of which the King himself after chooseth one to be Sheriff, for that year only, though heretofore it was for many years, and sometimes Hereditary, as at this day to the *Cliffords*, who by descent from *Robert de Vepont*, are Sheriffs hereditary of the County of *Westmorland*, by Charter from King *John*.

Furthermore, the Sheriffs Office is to collect all publick Profits, Customs, Tears of the County, all Fines, Distresses and Amerciaments, and to bring them into the Kings Exchequer or Treasury at *London*, or elsewhere, as the King shall appoint.

The Sheriff of each County hath a double function, first Ministerial to execute all Processes and Precepts of the Courts of Law, and to make returns of the same. Secondly, Judicial, whereby he hath Authority to hold two several Courts of distinct nature, the one called the Sheriffs *Turn*, which he holdeth in several places of the *County*, enquiring of all *Criminal* Offences against the *Common-Law*, not prohibited by any Statute: The other called the *County-Court*, wherein he hears and determines *Civil Causes* of the County under 40 s. which anciently was a considerable summ; so that by the great fall of the Money now, the Sheriffs Authority in that part is much diminished.

He

He is faid to be the Life of Juſtice, of the Law, and of the County, for no Suit begins, and no Proceſs is ſerved but by him, then no execution of the Law, but by him; Laſtly, he is the Chief Conſervator of the Peace in the whole County. Every County being ſubdivided into Hundreds, (ſo called at firſt, either for containing an hundred Houſes, or an hundred Men bound to find Arms) or Wapentakes, ſo called, from touching a Weapon, when they ſwore *Allegeance* (as the manner at this day is in *Sweden*, at their ſolemn Weddings, for the Chief Witneſſes to lay all their hands upon a Lance or Pike) every ſuch Wapentake or Hundred hath commonly a Bayliff, a very ancient Officer, but now of ſmall Authority: alſo Officers called *High Conſtables*, firſt ordained by the Statute of *Winchester*, 13 *Edw.* 1. for conſervation of Peace and view of Armour, they diſperſe Writs and Orders of the Juſtices of Peace to each Petty Conſtable.

There are alſo in every County two Officers, called *Coroners*, whoſe Office is to enquire by a Jury of Neighbours how and by whom any perſon came by a violent death, and to take the ſame upon Record, which is matter Criminal, and a part of the Crown, and therefore they are called *Crowners* or *Coroners*.

Theſe are choſen by the Freehold-ers of the County, by virtue of a Writ out of the *Chancery*. They were antiently Men of Eſtate, Birth, and Honour: and therefore

in the Reign of *Edward* the *Third*, a Merchant being chosen a Coroner was removed, *quia communis Mercator fuit*, wherein he ought to to have been a Gentleman, which no Tradesman is reckoned to be by our Laws.

Every County also hath an Officer called Clerk of the *Market*, whose Office is to keep a Standard of all Weights, and Measures exactly, according with the Kings Standard kept in the *Exchequer*, and to see that none others be used in the same County, to Seal all Weights, and Measures made exactly by the Standard in his custody, and to burn such as are otherwise. He hath a Court, and may keep and hold Pleas therein.

Of the Civil Government of Cities.

EVery City of *England* by their Charters or Priviledges granted by several Kings, is a little Common-wealth apart, governed not as the Cities of *France*, by a Nobleman or Gentleman placed there by the King, but wholly by themselves, they choose amongst themselves their own Governor; in Cities a Mayor is chosen, commonly out of 12 Aldermen. In some other Corporations, a Bailiff is chosen out of a certain number of Burgesses.

They

They are not taxed, but by their own Officers of their own Corporation, every Trade having some of their own alwayes of the Council, to see that nothing be enacted contrary to their profit.

Every City by Charter from the King hath *haute moyenne & basse Justice*, a Jurisdiction amongst themselves, to judge in all matters *criminal* and *civil*, onely with this restraint, that all *civil* causes may be removed from their Courts to the Higher Courts at *Westminster*.

The Mayor of the City is the Kings Lieutenant, and with the Aldermen and Common-Council (as it were King, Lords and Commons in Parliament) can make Laws called *By-Laws*, for the Government of the City.

He is for his time (which is but for one year) as it were a Judge to determine matters, and to mitigate the Rigour of the Law.

The next in Government of Cities are two principal Officers, called, though improperly, the *Sheriffs*, who are Judges in civil causes within this City, and to see all execution done, whether penal or capital, and should rather be called *Seat-reeves*, or *Port-reeves* (i. e.) *Urbis vel Portus Præfecti*.

In Cities the people are generally made more industrious by Manufactures, and less idleness suffered then in other places, so that in some Cities, children of six or seven years old are made to gain their own expences. In the City of *Norwich*, it hath of

late years been computed and found, that yearly, children from six to ten years of age, have gained twelve thousand pounds more then what they spend, and that chiefly by knitting fine *Jersey* Stockings.

The Government of *Boroughs*, and other Towns Corporate, is much after the same manner. In some there is a Mayor, in others one or two Bailiffs, who have equal power with a Mayor and Sheriffs, and during their Offices, they are Justices of the Peace within their Liberties, and have there the same power that other Justices of the Peace have in the *County*.

For the better Government of Villages the Lord of the place hath ordinarily power to hold a *Court-Baron*, so called, because anciently such Lords were called *Barons*, as they are still in many parts of *France*: or else *Court-Baron* (i. e.) *Court* of *Freeholders*, as the Barons of *Germany* are called *Freyherren*; so the Barons of the *Cinque Ports* in *England* are but the Freeholders of the *Cinque Ports*. And this *Court* may be held every three weeks.

Also, for the Government of Villages there is a *Petty Constable* chosen every year by every one that is Lord of the place: this Officer is to keep the Peace, in case of quarrels, to search any house for Robbers, Murderers, or others that have any way broken the Peace: to raise the *Hue* and *Cry* after Robbers fled away, to seize upon them, and keep them in the Stocks or other Prison till they can bring them before some Justice

of

of Peace, to whom the Constables are subservient upon all occasions, either to bring Criminals before them, or to carry them by their command to the Common Prison.

Every little Village almost hath an *Epitome* of Monarchical Government, of Civil and Ecclesiastical Policy within it self, which if duly minded, would render the whole Kingdome happy.

First, for the *Civil Government*, there is the Lord of the Soil, who from the Crown immediately or mediately holds *Dominium fœdi*, and is said to have in him the Royalty, as if he were a little King, and hath a kind of Jurisdiction over the Inhabitants of the Village, hath his *Court-Leet*, or *Court-Baron*, in which they owe suit and service, and where may be tryed smaller matters happening within the Mannour, Escheats upon Felonies, or other accidents, Custody of Infants and Lunaticks, power of passing Estates, and admitting of Tenants, Reliefs, Heriots, Hunting, Hawking, Fishing, &c. under the Lord, is the Constable or Headborough, to keep the Peace, to secure Offenders, to bring them before the Justice, &c.

Then for the Ecclesiastical Government of Villages, there is (as before hath been mentioned) the Parson or Vicar, who hath *Curam Animarum*, the Care of Souls (as the Lord of the Mannor hath in some measure, *Curam Corporum*) for which he hath the Tythes, Glebe, and Church Offerings, hath under him the Church-warden, and Sides-

Sides-men to take care of the Church, and Church Assemblies; the Overseers of the Poor, to take care of the Poor, Sick, Aged, Orphans, and other Objects of Charity, and lastly, the Clerk to wait on him at Divine Service.

Thus admirable and excellent is the Constitution of the present *English Government* above or beyond any other Government in Christendom.

O Fortunatos nimium bona si sua norint Anglicenæ ...
If English Men did know their Bliss,
Too great would be their Happiness.

Of the Military Government of England.

IT was a smart *Motto* that the Great *Henry* the IV. of *France*, Grandfather to our Gracious King now Reigning, caused to be engraven on his Great Guns, *Ratio Ultima Regum*: Intimating thereby, that when Subjects refuse to submit to the Laws of the Land, or Neighbours to the Law of Nations; then Kings have recourse to Force and Arms, to bring them to Reason.

So long as Subjects are prone to Sedition, and Neighbour Princes and States to Ambition, there will be a necessity of a Military

litary Power in every State, both by Land and likewise by Sea, where the Country is any where bordering on the Sea.

Of the *Military* Power of *England*, both by Land and Sea, the King of *England* hath the sole Supreme Power, Government, Command and Disposition. And neither one nor both Houses of Parliament, have any right to levy any Forces, or make any War Offensive or Defensive, as they have at large declared in Parliament, *Anno* 14. *Car.* 2.

By Land, the next under the King was the late Duke of *Albemarle*, who by His Majesties Commission dated the 14th of *April*, 1660, at *Breda*, was made *Generalissimo* of all His Majesties Forces, in all his Three Kingdoms, Horse and Foot, Land Souldiers in pay, as well within Garrison as without.

Since the Death of the aforementioned Duke, the Horse and Foot which are in constant Pay are thus ordered: there are our excellent Regiments of Foot. The first is called the King's Regiment, consisting of 14 Companies, and near 1700 Men, commanded by Coll. *John Russel*, whose Lieutenant Coll. is *Edw. Grey*, brother to the Lord *Grey*, and whose Major is *William Ratliffe*.

The next is the Duke of *York*'s Regiment 700 Men, Commanded by Sr *Charles Littleton*, whose Lieut. Coll. is Sir *John Griffith*, and his Major *Nath. Darrel*.

Of the third Regiment, 600 Men, Sr *Walter*

Walter Vane is Coll. *Thomas Howard* of *Suffolk* Lieft. Coll. and Sir *Thomas Ogle* Major.

Of the Fourth Regiment, 960 Men, the Col'. is the Earl of *Craven*, his Lieft. Coll. is Sir *James Smith*, his Major *Winter*.

There is also a Gallant Regiment of Horse, consisting of 8 Troops, about 500 Horse, besides Officers, commanded by the Earl of *Oxford*, and his Major is *Francis Windham*.

His Majesty hath besides, 3 compleat Troops for his Life-Guard: whereof one is called the Kings Troop, consisting of 200 Horse, and commanded by the Duke of *Monmouth*: Another the Queens Troop, 150 Horse, and commanded by Sir *Philip Howard*; and the third the Duke of *York* Troop, 150 Horse, and commanded by the Marquis of *Blanquefort*, whereof see more in the first part of the *Present State of England*.

The Pay of a Colonel of Foot is 20 *s. per diem*, and of a Colonel of Horse 12 *s. per diem*, the other Officers have proportionable pay. Each Foot Soldier in *London*, hath 10 *d.* a day, and each Horseman 2 *s.* 6 *d.* a day. Only those of the Life Guard have each 4 *s.* a day.

The rest of His Majesties Forces that are in constant pay, are disposed of into several Garrisons, a List whereof follows Alphabetically, with the Names of their several Governors.

Barwick

Barwick, Lord *Widdrigton*.
Calshot Castle, H. Paulet Esq;
Carlile, Sir *Philip Musgrave*.
Chepstow, Captain *Roger Vaughan*.
Chester, Sir *Jeffrey Shakerly*.
Dartmouth Castle, E. *Vowel*, Esq;
Dover, Cap. *Strode*.
Deal, Capt. *Digby*.
Guernsey, Lord *Hatton*.
Gravesend, Sir *Francis Leak*.
Harwich, Sir *Charles Littleton*.
Hull, John Lord *Bellassie*.
Hurst Castle, Capt. *Strange*.
Jersey, Sir *Thomas Morgan*.
Languard Fort, Sir *Charles Littleton*.
St. Maws, Sir *Viel Vivian*.
Pendenis, *Richard* Lord *Arundel*.
Plimouth, Earl of *Bath*.
Portsmouth, Duke of *York*, Sir *Philip Honywood*, Lieutenant Governor.
Portland Castle, *Humphrey Weld*, Esq;
Sandgate Castle, Sir *Thomas Allen*.
Sandown Castle, Captain *Freeman*.
Scarborough, Sir *Tho. Slingsby*.
Scylly Isle, Sir *William Godolphin*.
Sheerness, Sir *Boucher Wray*.
Tinmouth, Col. *Edward Villars*.
Tower, Sir *John Robinson*.
Upner Castle, Capt. *Fortescue*.
Walmer Castle, Sir *Tho. Engeha*.
Windsor Castle, Prince *Rupert*.
Isle of *Wight*, Sir *Robert Holmes*,
York, the Lord *Fresleville*.

In

In some of these Garrisons His Majesty is at the charge of above 500 Men constantly; each Garrison Souldier hath 8 pence a day.

Of all the Land Forces in pay, the Commissaries Gen. of Musters are *Henry Howard* of *Suffolk*, and Sir *Cecil Howard*.

The Pay Master of all the Forces is Sir *Stephen Fox*.

The Judge Advocate, Doctor *Sam. Barrow*.

For regulating and ordering His Majesties Land Forces, that are in constant pay, there are no Orders, yet setled by Act of Parliament, as there are for his Sea Forces, but may be in a short time.

Besides, the aforementioned Forces there is the standing *Militia* by Land of all *England* setled in the King, to be governed, ordered, and enlarged from time to time as His Majesty shall see occasion.

For the management of these standing Land Forces, the King himself makes choise of divers of the principal Peers of his Kingdom, and by Commission creates them Lord Lieutenants of the several Counties of *England*, with power to arm, array, and form into Companies, Troops, and Regiments, to conduct (upon occasion of Rebellion or Invasions) and employ the Men so armed within the Counties and Places for which the said Lords are commissionated, or into any other County, as the King shall give order. To give Commissions to Colonels,

nels, or other Commissionated Officers to present to the King the Names of the Deputy-Lieutenants, who have in the absence of the Lord Lieutenant the same power (and these are to be of the prime Gentry of the County) to charge any person in the County with Horse, Horsemen, and Arms, or Foot Souldiers and Arms within the said County, proportionably to their Estates, with limitation that no person be charged with a Horse, unless he hath 500 l. yearly Revenue, or 6000 l. personal Estate. No person can be charged with a Foot Souldier, unless he hath 50 l. yearly Revenue or 600 l. personal Estate. Those that have meaner Estates are to joyn two or three together, to find a Horse and Horseman, or a Foot Souldier.

The forementioned Horse and Foot are to muster once or twice a year, and each Horseman during the time of the Muster, to be allowed him for whom he serves 2 s. a day, and each Foot Souldier 12 d. a day.

For furnishing Ammunition and other Necessaries, the Lord Lieutenant, or Deputy Lieutenants may levy every year one fourth part (if they judge it expedient) of each Mans proportion in the Tax of 70000 l. a month upon the whole Kingdom: and in the case of marching against an Enemy, they have power to raise every Man so charged to allow each Souldier one Months pay, which the King is after to repay before they may be charged with another Months pay.

These

These Forces are always in readiness with all things necessary at the beat of a Drum, or sound of Trumpet, to appear, muster, and be compleat with Men, Horse, and Armes, and are at certain times trained and displined, that they become able, skilful, and useful Souldiers.

These are to be commanded onely within the Kingdom, for the security of the King and Kingdom.

Subservient in the standing *Militia* to the Lord Lieutenant, and Deputy Lieutenant are the Justices of Peace of every County, who upon all occasions, according to the orders of their Superiours, are to send their Warrants to the High Constable of the Hundred, or Petty Constable of the Parish, *&c.*

These are commonly called the Trainbands of every County, whereof the number is so great, that in only five of the bigger Counties of *England*, there are to be found well provided forty thousand able lusty men, ready to assist the King upon all occasions, so that in all times of peace the King hath six or sevenscore thousand Men enrolled, and wholly and solely at his disposing for the defence of his Kingdom of *England*.

For the better securing of the Kingdom from forreign Invasion, besides the Ships of War (whereof more anon) there are upon certain eminent places of all parts of *England*, mediterrane, as well as maritime, high Poles erected, whereon are fastned pitch-

Barrels,

Barrels to be fired by night, and a smoke made by day, and thereby to give notice in few hours to the whole Kingdom of the approaching Invasion; whereon the Inhabitants in Arms make hast to the Sea-coasts. These are called Becons, from the Saxon *Beacen* or *Beacnian*, to shew by a sign. In all times of danger some are set to watch at every Becon.

Anciently there were many Castles in all parts of *England*; but inland Castles generally have either been demolisht in latter times, or wittingly suffered to decay, that to Rebels they might be no shelter, to Invaders no stay, nor to the Invaded any refuge in flight, and consequently, that there may not be any *lingring War* again in *England*, which is the greatest misery and calamity that can ever happen to a Nation.

In 1588 upon expectation of the Spanish Armado stiled invincible, there went forth from the Queen Commissions to muster in all parts of *England*, all Men that were of perfect sence and limb, from the age of 16, to 60, except Noblemen, Clergymen, University Students, Lawyers, Officers, and such as had any publick charges, leaving only in every Parish so many Husbandmen, as were sufficient to Till the Ground. In all those Musters there were then numbred three Millions; but of those fit for War, about six hundred thousand.

In-

In another Muster of Queen *Elizabeth*, there were found in all *England* fit for War of common Souldiers, about four hundred thousand, and of those Armed and Trained, one hundred eighty five thousand, besides Horse near forty thousand, and that the Nobility and Gentry were then able to bring into the field of their Servants and Followers, twenty thousand Men Horse and Foot choise men, and excellent Horses, and in all fit for War, and ready upon all occasions, six hundred forty two thousand, leaving sufficient to Till the Ground, and to furnish Trades, besides Nobility, Gentry, &c.

A List of the present Lords Lieutenants of the several Counties and Places of England, *in Alphabetical Order.*

Bedford, Earl of *Aldebury.*
Berks, Lord *Lovelace.*
Briſtol, Duke of *Ormond.*
Bucks, Earl of *Bridgewater.*
Cambridge, Earl of *Suffolk.*
Cheſhire, Earl of *Derby.*
Cornwall, Earl of *Bath.*
Cumberland, Earl of *Carliſle.*
Derby, Earl of *Devonſhire.*
Devon, Duke of *Albemarle.*
Dorſet, Lord *Poulet.*
Durham, Biſhop of *Durham.*
Eſſex, Earl of *Oxford.*
Glouceſter, Marquis of *Worceſter.*
Hereford, Marquis of *Worceſter.*
Hertford, Earl of *Eſſex.*
Huntingdon, Earl of *Sandwich.*
Kent, Earl of *Winchelſea.*
Lancaſter, Earl of *Derby.*
Leiceſter, Earl of *Rutland.*
Lincoln, Earl of *Lindſey.*
Middleſex, Earl of *Craven.*
Monmouth, Marquels of *Worceſter.*
Norfolk, Lord *Townſend.*
Northampton, Earl of *Peterborough.*

Nor-

Northumberland, Earl of *Ogle*.
Nottingham, Duke of *Newcastel*.
Oxford, Lord *Norreys*.
Purbeck Isle, Sir *Ralph Banks*.
Rutland, Viscount *Camden*.
Shropshire, Lord *Newport*.
Southwark Borough, Earl of *Craven*.
Somerset, Duke of *Ormond*.
Southampton, Lord *St. John*.
Stafford, Lord *Brook*.
Suffolk, Earl of *Suffolk*.
Surrey, Lord *Mordant*.
Sussex, Earl of *Dorset*.
Wales, Earl of *Carbery*.
Warwick Earl of *Northampton*.
Westmerland, Earl of *Carlisle*.
Wilts, Earl of *Essex*.
Worcester, Lord *Windsor*.
York East-riding, Lord *Bellasis*.
York West-Riding, Earl of *Danby*.
York North-Riding, Viconnt *Falconbridge*.

The City of *London* is a Lieutenancy of it self, not subject to any Lord Lieutenant, but executed by the Lord Mayor, Aldermen, and other Principal Members of the City Authorised, by a peculiar Commission from His Majesty.

of

Of the present Maritime Power belonging to the Crown of England.

THe Kingdom of *England* being a Peninsula, almost surrounded with the Sea, there will always be a necessity of Maritime Forces. And as next Neighbours grow potent at Sea, the King of *England* will be necessitated to augment his Maritime forces proportionable (how great soever the charges thereof may be) or else to quit his antient right to the Soveraignity of the narrow Seas, and to suffer his Merchants to be abused, and their traffique every where interrupted.

It is true, that in the 24 of *Eliz.* upon a general view and muster there were found but 13 Ships of War, and 135 Ships of considerable burden belonging to all the Subjects of *England*: and in the year 1600 her Majesty had but 36 Ships of War, and 13 or 14 Pinaces, the biggest Ships was then of one thousand Tun, carried Three hundred and forty Mariners, one hundred and thirty Souldiers, and but Thirty piece of Ordnance: The lesser Ships of War were of one hundred Tun, Forty or Fifty Mariners, Seven or Eight Souldiers, and Eight Guns. The Pinnaces of Thirty Tun, Eighteen or Twenty Mariners, and two or four

four Guns; so small was the Royal Fleet in those days, when our next Neighbour Nations were weak, and always engaged with Civil and Forreign Wars; but now that their strength at Sea, is of late so prodigiously increas'd, it will be most expedient for this Kingdom, to be always well provided: And God be thanked, we have a King that understands better, and takes more delight in Maritime Affairs, and Ships of War, then any of his Royal Ancestors, or any Soveraign Prince now living in the World, and who hath made it his chief business that way, to fortifie this Kingdom.

The Forces of Potentates at Sea, *Sont des Marques de Grandeur d'Etat*, saith a French Author, Whosoever commands the Sea, commands the Trade of the World; he that commands the Trade, commands the Wealth of the World, and consequently the World it self.

Again, As he that is Master of the Field, is said to be Master of every Town, when it shall please him; so, he that is Master of the Sea, may, in some sort, be said to be Master of every Country, at least of such as are bordering on the Sea; for he is at liberty to begin, or end a War, where, and upon what terms he pleaseth, and to extend his Conquests even to the *Antipodes*.

To the Crown of *England* belongs the Dominion of all the narrow Seas, round about the whole Island of *Great Britain*, by Ancient Right whereof, it hath had possession

ſeſſion in all times. Firſt the *Aborigines* or *Antient Britains* were poſſeſt thereof, (as Mr. *Selden* makes appear) and in their Right, the *Romans* held it; then the *Saxons* having gotten poſſeſſion of *England*, kept that Dominion, their King *Edgar*, amongſt his Royal Titles, calling himſelf *Soveraign of the Narrow Seas*.

Afterwards the *Normans* poſſeſſing *England*, claimed and quietly poſſeſt the ſame Dominion; in Teſtimony whereof, the *Swedes*, *Danes*, *Hans-Towns*, *Hollanders*, *Zealanders*, &c. were wont to ask leave to paſs the *Britiſh Seas*, and to take Licenſes to fiſh therein: and to this day, do ſtrike Sail to all the Ships of War belonging to the King of *England*, as oft as they paſs by any one of them, thereby to expreſs, that they acknowledge the Soveraignty of the *Britiſh Seas* to belong to the King of *England*, according to an Ordinance made at *Haſtings* in *Suſſex*, by *John* King of *England*, about Four hundred and fifty years ago.

To maintain this Right and Title to protect Trade, to ſubdue Pirates, to defend this Kingdom againſt hoſtile Invaſions, and to reduce foreign Potentates to Reaſon, the Kings of *England* have had (eſpecially of later times) a conſiderable number of Ships of War, for Strength, for Beauty and Sailing (if not for number) ſurpaſſing all thoſe of our Neighbor Nations: For Strength, by reaſon of the moſt excellent *Engliſh* Timber, they are like ſo many Floating Caſtles and *Barbicans*; for Beauty, ſo

so proportionably and spaciously built, and so curiously and richly adorned, that they are as so many Royal Palaces. Amongst other Ships at Sea, they are as so many Lions amongst other silly Beasts, or as Eagles amongst other Birds.

Historicks mention a great Fleet of *Julius Cæsar*, a Fleet of the forementioned King *Edgar*, consisting of Three thousand six hundred Sail; a Fleet of *Lewis* Son to *Philip* King of *France*, of Six hundred Sail, that arrived at *Sandwich* to assist the *English Barons* against King *John*; but those doubtless were but as so many Cottages to Castles, in respect of the present Ships of War.

Henry the Eighth, in the Fifth year of his Reign, built a Ship, then accounted the greatest, that ever had been seen in *England*, and named it *Henry Grace de Dieu*, or the *Great Henry*; it was of One thousand Tun.

In the Eighth year of King *James* was built by the *Londoners*, a Ship of Twelve hundred Tun, and called *The Trades Increase*, which being lost in the *East Indies*, King *James* caused another to be built of Fourteen hundred Tun, which being given to Prince *Henry*, was by him named the *Prince*.

King *Charles*, the Martyr, perceiving the great increase of Shipping in our Neighbor Nations, and that the Soveraignty of these Seas was like to be disputed; amongst other great Ships of War, built one

one greater then any Ship of War, either in *England*, or in any Country in *Europe*, and named it the *Royal Sovereign*; which for a little diversion, shall here be more particularly described.

The *Royal Sovereign*, being a Ship of the first Rate or Rank, built in the Year One thousand six hundred thirty and Seven, is in length by the Keel, one hundred twenty seven Foot, in breadth by the Beam Forty seven Foot, in depth Forty nine Foot, her draught of Water Twenty one Foot. of Burden, in all two thousand seventy and two Tuns, and 1492 Tuns, besides Guns, Tackle, &c. This mighty Moving-Castle hath Six Anchors, whereof the biggest weighs 4000 *l.* and the least 1300 *l.* It hath Fourteen Cables, whereof the greatest is Twenty one Inches in compass, and weighs 9000 *l.* Her least Cable being eight Inches in compass, weighing near 1300 *l.*

To the *Royal Sovereign* belong Eighteen Masts and Yards, whereof the greatest, called the *Main Mast*, is one hundred and thirteen Foot long, and Thirty eight Inches Diameter; her *Main Yard* One hundred and five Foot long, and Twenty three Inches Diameter, and her *Main Top*, Fifteen Foot Diameter: She hath Ten several sorts of Sails of several names (as every Ship of every one of the six Rates hath) whereof her greatest Sail, called her *Main Course* (together with her Bonnet) contains one thousand six hundred and

forty Yards of *Canvas*, *Ipswich* double, and the least Sail called *The Fore-Top gallant sail*, contains one hundred and thirty yards of *Canvas*. The charge of one compleat Sute of Sails for the *Soveraign* is 404 *l.* Sterling Money. The weight of the Sea store, in point of Ground Tackle and other Cordage, is Sixty Tuns, Eight hundred and odd pounds.

She carries a long Boat of Fifty Foot, a Pinance of Thirty six Foot, and a Skiff of Twenty seven Foot long.

The weight of her Rigging is Three and thirty Tun.

She hath three Tire of Guns, all of Brass, whereof there are Forty four in her Upper Tire, Thirty four in her second Tire, and Twenty two in her Lower Tire, in all One hundred Guns.

She carries in all, of Officers, Souldiers, and Mariners, Eight hundred and fifty Men.

Finally, her whole Charges for Wages, Victuals, Ammunition, wear and tear, for every Month at Sea, costs the King 3500 *l.* Sterling, as hath been computed by a very skilful person.

The Charges of Building a Ship of the First Rate, together with Guns, Tackle, and Rigging (besides Victualing) doth ordinarily amount to about 62431 *l.* Those of lower Rates proportionably.

Her

Here followeth a List in Alphabetical order, of the Ships of War, whereof His Majesties Navy did consist before the late Dutch War, together with the Rates, Tuns, Men, *and* Guns, *usually accounted) which may serve as an instance whereby to judge of the Naval Strength of this Nation.*

First Rate Ships.	Tuns.	Men.	Guns.
St. Andrew,	1298	750	90
Charles,	1289	750	98
London,	1312	750	90
St. Michael,	1389	550	90
Prince,	1404	800	100
Soveraign,	1492	850	100

One Building at *Portsmouth.*

Second Rate.

One Building at *Portsmouth.*

St. George,	1337	640	64
Henry,	1180	530	74
Old James,	938	500	68
Royal Katherine,	1011	538	76
Raynbow,	807	410	56
Triumph,	1113	500	74
Victory,	1168	530	80
Unicorn,	752	450	56

Third Rate.	Tons	Men	Guns
Anne,	741	340	58
Cambridge,	881	400	66
Dreadnought,	738	360	58
Dunkirk,	619	340	58
Edgar,	1053	400	70
Fairfax,	739	340	66
Gloucester,	744	340	58
Henrietta,	708	340	58
Lyon,	708	340	58
Mary,	741	360	60
Monke,	697	340	58
Monmouth,	801	400	66
Montague,	780	360	60
Plymouth,	741	340	58
Resolution,	891	400	66
Revenge,	746	360	58
French Rubie,	811	460	66
Rupert,	791	400	66
Warspight,	878	400	66
York,	734	340	58

Two Building at *Harwich*, and one at *Chatham*.

Fourth Rate.			
Adventure,	874	270	40
Advice,	518	220	46
Antelope,	483	220	46
Assistance,	521	220	44
Assurance,	517	270	56
Bonaventure,	450	220	46
Bristol,	532	220	48

Con-

Ships.	Tuns	Men	Guns.
Centurion,	551	200	46
Crown,	536	200	46
Constant Warwick,	505	170	34
St. David,	646	260	48
Dyamond,	545	220	48
Dover,	554	200	48
Dragon,	411	200	38
Faulkner,	395	170	40
Foresight,	511	220	46
Greenwich,	646	280	60
Hampshire,	473	200	40
Happy Return,	625	240	48
Gorzey,	560	220	48
Leopard,	645	280	54
Mary Rose,	558	220	48
Newcastle,	631	240	48
Norfolk,	553	170	40
Portsmouth,	422	200	38
Portland,	6[illegible]	240	48
Princess,	556	240	52
Reserve,	513	220	46
Ruby,	556	220	48
Swallow,	543	220	48
Sweepstakes,	358	170	36
Tiger,	418	180	40
Yarmouth,	608	240	52
One Building at *Bristol*.			
Fifth Rate.			
Algiers	399	160	30
Dartmouth,	460	150	26
Eagle,	337	150	22

Ships.	Tuns	Men	Guns
Forester,	245	140	28
Gaverland,	265	150	28
Guernsey,	245	150	28
Holmes,	258	110	22
Mermayd,	284	140	30
Nightingal,	257	140	28
Norwich,	264	160	26
Pearle,	284	150	24
Phœnix,	245	170	30
Richmond,	252	150	24
Speedwell,	252	140	26
Success,	309	155	30
Welcome,	279	150	32
Sixth Rate.			
Deptford Ketch,	89	50	10
Drake,	146	70	10
Emsworth,	59	30	6
Eaglet Ketch,	71	30	
Fanfan,	83	40	6
French Fireship,	141	80	6
Old French Fireship,	74	45	6
Portsmouth Pink,	90	50	8
Quarter Ketch,		45	8
Redbreast,	136	80	18
Spye,	98	50	6
Swallow Ketch,	48	40	4
Truelove,	103	50	14
Wivenhoe,	79	50	8
Young Lion,	50	25	6
Golden Hand,	287	50	12
Hardavare,	138	40	16
Greyhound,	190	80	16

Besides 30 Fireships, and several other small Vessels, for Tenders and Victuallers.

All His Majesties *Maritime Forces* are under the Command of the *Lord High Admiral of England*, touching whose Name, Titles, Power, Priviledges, *&c. See the first Part.*

The *Lord Admiral* hath under him many Officers of high and low condition, some at Sea, others at Land; some of a *Military*, some of a *Civil* capacity; some *Judicial*, others *Ministerial*; so that the Dominion and Jurisdiction of the Sea, may justly be stiled another *Commonwealth* or *Kingdom* apart. *In Mari sunt Regna distincta idque Jure Gentium, sicut in arida terra*, saith *Baldus*, that Learned Oracle of the *Civil Law*, and the *Lord High Admiral of England*, may fitly be stiled, or at least reputed as a *Viceroy* of the *Maritime Kingdom* of *England*.

The *Vice Admiral of England* is an Officer, to whom next under the *High-Admiral*, it belongs to see the *Royal Navy* kept in good repair, the Wages of Mariners and Ship-weights duly paid, and the Ships provided of all things necessary for any Expedition.

The *Lord High Admiral of England* doth by virtue of his place appoint in divers parts of the Kingdom his several *Vice-Admirals*, with their Judges and Marshals by Patent, under the Great Seal of the *High Court of Admiralty*. These *Vice-*

Admirals and *Judges* do exercise Jurisdiction in Maritime affairs within their several limits, and in case any person is aggrieved by any Sentence or Interlocutory Decree, that hath the force of a Definitive Sentence, he may appeal to the *High Court of Admiralty*.

The present Vice-Admirals *of the several Coasts of* England, *with their* Judges, *are these that follow in Alphabetical order.*

Bristol City, Sir *Thomas Bridges* Vice-Admiral.

Cheshire and *Lancashire*, the Earl of *Derby* Vice-Admiral.

Sir *Timothy Baldwin* Kt. Doctor of Law, Judge.

Cornwall South parts, *Trelawny* Vice-Admiral.

Cornwall North parts, Sir *John Godolphin*, Vice-Admiral.

Mr. *Seaman* Judge.

Cumberland, Earl of *Carlisle*, Vice-Admiral.

Durham, Earl of *Carlisle*, Vice-Admiral.

Devonshire, *John Prust* Esq; Vice-Admiral.

Dr.

Dr. *Masters* Judge.

Dorsetshire, *Robert Reyne* Esq; Vice-Admiral.

Essex, Sir *John Bramston*, Vice-Admiral.
Sir *Mansfield Bramston* Judge.

Gloucester, *Thomas Chester* Esq; Vice-Admiral.
Kent, Duke of *Richmond*, Vice-Admiral.
Lincoln, Lord *Castleton*, Vice Admiral.
Northumberland, Earl of *Carlisle*, Vice-Admiral.
Norfolk, Lord *Townsend*, Vice Admiral.
Sir *Jeffreys Lewin* Kt. Dr. of Laws, Judge.

Northumberland, Earl of *Carlisle*, Vice-Admiral.
Somersetshire, Sir *Thomas Bridges*, Vice-Admiral.
Sussex, Sir *John Pelham*, Vice-Admiral.
Dr. *Lew* Judge.

Suffolk, Sir *Henry Felton*, Vice-Admiral.
Dr. *Clerk*, Judge.

Southampton and *Isle of Wight*, Sir *Robert Holmes*, Vice-Admiral.
Dr. *Lloyd* Judge.

Wales North parts, Col. *John Robinson*, Vice-Admiral.
Mr. *Walter Mansel*, Judge.
Westmorland, Earl of *Carlisle*.
Yorke, Earl of *Mulgrave*, Vice-Admiral.

For handling of *Maritime Affairs*, the *Lord High Admiral* hath Courts of his own, whereof that at *London* is the principal or supream, where all *Powers* and *Proceedings* runs in his name, and not in the Kings, as it doth in all *Common-Law* Courts; in this Court usually called the *Court of Admiralty* he hath a Lieutenant called *Judge of the Admiralty*, who is commonly some Learned Doctor of the *Civil Law*, and is at present Doctor *Jenkins*, lately Knighted for his great worth, and now called *Sir Lionel Jenkins*.

The Proceeding in this Court in all *Civil Matters*, is according to the *Civil Law*, because the *Sea* is without the limits of the *Common Law*, but under the *Admirals Jurisdiction*; therefore the *Civil Law* onely (all *Common Law* secluded) is made use of, and by Libel they proceed to the Action, the Plaintiff giving caution to prosecute the Suit, and to pay what shall be judged against him, if he fail in the Suit; the Defendant on the contrary securing the Plaintiff by sufficient surety or caution, as the Judge shall think meet, that he will appear in Judgment, and pay that which shall be adjudged against him, and that he will ratifie and allow all that his Proctor shall do in his name, whereby the Clients are well assured to obtain that which by Law shall be adjudged to them, let the cause fall on which side soever.

In the *Admiralty Court* of *England* use is made, not only of the *Civil Laws*, but the

the Laws of *Rhodes* and *Oleron*, whereof the former is an Island in the *Mediterranean Sea*, about 20 Miles distant from the Continent of *Asia Minor*, and is now under the Turk, the Antient Inhabitants whereof, by their mighty Trade and Power at Sea, grew so expert in the Regulation of all *Maritime Matters* and *Differences*, and their *Determinations* therein, were esteemed so just and equitable, that their Laws in such affairs have ever since been observed for *Oracles*. These Laws were long ago incorporated into the Volumes of the *Civil Laws*: And the *Romans*, who gave Laws to other Nations, and excelled all Nations in making of good Laws; yet for their *Sea Affairs*, referred all Debates and Controversies to the *Judgment* of these *Rhodian* Laws.

Oleron is an Island anciently belonging to the Crown of *England*, seated in the Bay of *Aquitane*, not far from the Mouth of the *Garonne*, where our famous Warrior King *Richard* the First, caused to be compiled such excellent Laws for Sea Matters, that in the Ocean Sea Westward, they had almost as much repute as the *Rhodian Laws* in the *Mediterranean*; and these Laws were called *Le Roul d'Oleron*.

King *Edward* the Third (who first erected this Court of *Admiralty*, as some hold) made at *Quinborough* 1375. very excellent Constitutions concerning Maritime Affairs, and many Statutes and Ordinances have been made by other Princes, and

and People, as at *Rome*, *Pisa*, *Genoa*, *Marseilles*, *Barcelona*, and *Messina*, yet, that fragment of the *Rhodian Law*, still extant with the Comments thereon, by the old *Jurisconsults* inserted in the *Pandects*, and the Constitutions made by the Roman Emperors contained in the *Code*, and in the *Novelles*, still holds the Preeminence.

The Customs and former Decrees of the *English Court of Admiralty*, are there of force for deciding of Controversies. Under this Court there is also a *Court of Equity*, for determining differences between Merchants.

In Criminal Affairs, which is commonly about Piracy, the Proceeding in this Court was by Accusation and Information, according to the *Civil Law*, by a Mans own Confession, or Eye-witnesses found guilty before he could be condemned: But that being found inconvenient, there were two Statutes made by *Henry* the Eighth, That Criminal Affairs should be tried by Witnesses, and a Jury, and this by special Commission of the King to the *Lord Admiral*; wherein some of the Judges of the Realm are ever Commissioners, and the Tryal according to the Laws of *England*, directed by those Statutes.

Between the Common Law of *England*, and the *Admiralty*, there seems to be *Divisum Imperium*; for in the Sea, so far as the Low-water Mark is observed, that is counted, *Infra Corpus Comitatus adjacentis*,

and

and Causes thence arising are determinable by the Common Law, yet when the Sea is full, the Admiral hath Jurisdiction there also (so long as the Sea flows) over matters done between the Low-water Mark, and the Land, as appears in Sir *Henry Constables* Case, 5. *Report*, *Cake* f. 107.

For regulating and ordering His Majesties Navies, Ships of War, and Forces by Sea. See those excellent Articles and Orders in *Stat.* 13 *Car.* 2. *cap.* 9.

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of

Of the Navy-Office, *where the whole busines concerning the Kings Vessels of War is managed.*

FIrst, there is the Treasurer of the Navy, *Edward Seymour* Esq; whose Office is to receive out of the Exchequer, by Warrant from the Lord Treasurer of *England*, and to pay all charges of the Navy, by Warrant from the principal Officers of the Navy, for which he had formerly *Salary*, 200 *l.* 13 *s.* 4 *d.* besides 3 *d.* in the pound of all Money paid by him, but hath now an Honourable Allowance certain from His Majesty in lieu thereof.

Next the Controller of the Navy, Sir *Tho. Allen*, whose Office is to attend and controll all payments of Wages, to know the Market Rates of all Stores belonging to shipping, to examine and *audit* Treasurers, Victuallers, and Store-keepers, Accounts, *&c.* his Salary is 500 *l.* yearly. This Office is executed at present by the Lord Vicount *Brounker*, the forementioned Sir *Tho. Allen*, and Sir *Jeremy Smith*, and Sir *John Earnly*.

Sur-

Surveyor of the Navy, *Ja. Tippetly* Esq; whose Office is generally to know the state of all Stores, and see the wants supplyed; to find the Hulls, Masts, and Yards, and estimate the value of repairs, by Indentures to charge all *Boatswains*, and *Carpenters* of His Majesties Navy, with what Stores they receive, and at the end of each voyage, to state and *audit* their Accounts, his Salary is 490 *l.*

Clerk of the *Acts Samuel Pepys* Esquire, whose Office is to record all Orders, Contracts, Bills, Warrants, and other businesses transacted by the principal Officers and Commissioners of the Navy, *&c.*

Next the Commissioners of the Navy, *viz.* the forementioned Lord *Brouncker*, Sir *Jeremy Smith*, and Sir *Ja. Earnley*, *Edw. Seamour*, Sir *Ja. Herman*, and Sir *John Werden*, whose Office is as above specified; and Salary to each 500 *l.* yearly.

Two other Commissioners, *Anth. Deane*, and *Tho. Middleton* Esquires, whose particular work is to be at *Portsmouth* and *Chatham*, alwayes in readiness, to give Orders for the better management of His Majesties Affairs in his Yards or Store-houses there, Salary to each is 350 *l.* yearly.

Each of these Officers above-named, have two Clerks, and some of them more, all paid by the Treasurer of the Navy, all hold their Places by Patent from the King, and the most of them during Pleasure.

The King hath for his Navy Royal and Stores,

Stores, 4 great Yards or Store-houses, viz. at *Chatham*, *Deptford*, *Woolwich*, and *Portsmouth*, where his Ships are Built, repaired and laid up after their Voyages. In which Yards are employed divers Officers, whereof there are six Principal, whose Offices, Names, and Salaries follow.

	Chat.	Dep.	Wool.	Ports.
Clerk of the Check.	181	108	98	126
Store-Keeper.	236	164	118	119
Master attendants, two at Chatham	200	100	100	108
Master Ship-Wright.	103	113		130
Clerk of the Controll.	100	120	80	80
Clerk of the Survey.	140	102		84

Note, that the charges of their Clerks and Instruments are included in the aforementioned Salaries.

Be-

Besides these four Yards, His Majesty hath divers Rope-Yards, as at *Chatham*, *Woolwich*, and *Portsmouth*, where are made all his Cables and Cordage for his Navy.

Also in time of a Sea-war, the King hath another Yard at *Harwich*, where there is out of War time continued an Officer at the charges of 100 *l.* yearly.

All the Forementioned Officers, and the whole Navy Office are governed by the Lord High-Admiral of *England*, whose Lieutenant Admiral is Prince *Rupert*, Salary 20 *s. per diem*, and 10 *s. per mensem* for each Servant, whereof he is allowed 16.

Lord Admirals Secretary, is Sir *Jo. Werden* Baronet, his Salary from the King is 500 *l.* yearly.

All the other under Officers, as well those in the several Yards, as those belonging to any of His Majesties ships, hold their places by Warrant from the Lord High Admiral *durante bene placito*.

The ordinary yearly Charge of His Majesties Navy, in times of Peace, continuing in Harbour, is so well regulated, that it amounts to scarce 70000 *l.* besides all charges of building of Ships, *&c.* or setting forth any Fleets, which some years even in peaceable times, amounts to 11 or 120000 *l* more, as may easily be conjectured by the charges of Building and Rigging of Ships, and of one Months expences at Sea afore specified, so that the

English

English Subject need no long wonder how their late large Contribution and Aids have been spent, but rather how this Kingdomes necessary Expences should be discharged with so much less then our Neighbouring Nations can with all their frugality defray theirs, where the daily complaints are, that by Customes and Excises, by Tailles and Gabells more Money is every year squeezed from the Subject then was done in twenty years together in their Ancestors days.

Of

OF THE CITY OF LONDON.

LONDON, being the *Epitome* of *England*, the Seat of the British Empire, the Chamber of the King, and the chiefest *Emporium* or Town of Trade in the World; it will not be impertinent to give some account thereof.

To describe particularly all things in this City worthy to be known, would take up a whole Volumn; therefore according to the intended brevity of this *Treatise*, here shall be inserted onely τὰ μεγαλεῖα τῆς πόλεως *Magnalia Londini*, such things as Strangers and Foreigners commonly count remarkable.

Take then a summary account of the Name, Antiquity, Scituation, Magnitude, Streets, Houses, Number of Inhabitants, Parish-Churches, Cathedral, Royal Exchange, River, Conduits, Aqueducts, Trade, Government, Publick Halls of Companies, of

of the Tower, Bridge, Custom-House, Publick Offices, Colledges, Schools, Hospitals, Work-Houses, &c.

Name. *LONDON*, so called, as some conjecture, from *Llongdin* the British word, signifying in the *Saxon* Tongue *Shipton*, or Town of Ships; was built, as some write, 1108 years before the Birth of our Saviour, that is, now 2779 years agoe, in the time of *Samuel* the Prophet, and about 356 years before the building of *Rome*.

Antiquity.

Situation. In the most excellent situation of *London*, the profound wisdom of our Ancestors is very conspicuous and admirable. It is seated in a pleasant ever-green valley, upon a gentle rising Bank in an excellent Aire, in a wholesome soyl mixt with gravel and sand, upon the famous Navigable River *Thames*, at a place where it is cast into a *Crescent*, that so each part of the City might enjoy the benefit of the River, and yet not be far distant one from the other, about 60 miles from the Sea, not so near, that it might be in danger of Surprisal by the Fleets of Forreign enemies, or be annoyed by the boysterous Winds, and unwholesome Vapours of the Sea; yet not so far, but that by the help of the Tide every twelve hours Ships of great Burden may be brought into her very Bosome, nor yet so far, but that it may enjoy the milder, warmer Vapours of the *Eastern*, *Southern*, and *Western Seas*, yet so far up in the *Country*, as it might also easily partake even of all the *Country* commodities: in an

an excellent air, upon the North ſide of the River (for the Villages ſeated on the South-ſide are noted to be unhealthy, in regard of the vapours drawn upon them by the Sun) burroughed by gentle hills, from the North and South Winds; it lies in 51 Degree 30 Minutes Latitude.

The High-wayes leading from all parts to this Noble City are large, ſtraight, ſmooth, and fair; no Mountains nor Rocks, no Marſhes nor Lakes, to hinder Carriages and Paſſengers, ſo that as Corn may eaſily be brought, and Cattle commodiouſly driven unto it by Land; ſo thoſe heavy though neceſſary Commodities, Hay and Fuel, are more cheaply conveyed by water: in a word all the bleſſings of Land and Sea neer about, and by the benefit of Shipping, all the bleſſings of the Terreſtrial Globe may be ſaid to be here injoyed, above any City of the World.

Magnitude. The City of *LONDON* with its Suburbs and places adjacent, is of a vaſt extention: from *Lime Houſe*, meaſured to the end of *Tothill*, or *Tuttle-ſtreet*, from Eaſt to Weſt, is above 7500 Geometrical paces, that is, above ſeven Engliſh Miles and a half; and from the farther end of *Blackmanſtreet* in *Southwark*, to the end of St. *Leonard Shoreditch* is 2500 paces, or two miles and a half.

Streets. In this great City, the Streets, Lanes, and Alleys, as they are called, are in number above 500, and yet, ſome of them above half a meaſured mile in length: Dwelling Houſes

Houses, before the late dreadful Fire were computed onely within the Wals, above fifteen thousand, and that was accounted but a fifth part of the whole City, as may be judged by the weekly Bills of Mortality.

Houses. The Buildings, especially of late years, are generally very fair and stately, but within the City, the spacious Houses of Noblemen, rich Merchants, the Halls of Companies, the fair Taverns, are hidden to strangers, by reason that they are generally built backward, that so the whole room toward the Street might be reserved for Tradesmens Shops. If they had been all built toward the Street, as in other Countries, no Forreign City would, even in this particular, much surpas *London*; Yet, if a Stranger shall view *Lincolns-Inne-fields*, *Southampton-Buildings*, *Covent-Garden*, St. *James fields*, *Hatton-Garden*, *Cheapside*, *Lumbard-street*, *Canon-street*, *Fleet-street*, and indeed most of the other last built Streets within the City, he must confess, that for fair *Piazza's*, or open Places, for stately uniform Buildings, for spacious streight Streets, there is scarce the parallel in *Europe*.

Number of Inhabitants. That the Reader may the better guess at the number of Inhabitants, or humane Souls, within this great City, he must know, that in one year there were computed to be eaten

eaten in *London*, when it was left by one fourth part, 675 00 Beefs, ten times as many Sheep, besides abundance of Calves, Lambs, Swine, all sorts of Poultry, Fowl, Fish, Roots, Milk, &c. Also that *communibus annis* to supply *London* with *Newcastle Coal*, there is brought into the River of *Thames* two hundred and seventy thousand *Chaldron*, and every *Chaldron* is 36 Bushels.

Again, the number of Inhabitants may be guessed at by the Burials and Births in *London*, which in ordinary years, when there is no *Pestilence*, amount of late to Twenty thousand in a year, three times more than in *Amsterdam*, and but one 20th part less than in *Paris*, as may be seen by the Bills of these three Cities.

As also by the quantity of Beer drank in *London* in a year, which to all Forreigners will be incredible, for in the year 1667, when the greatest part of the Buildings within the Wall, and some without lay in Ashes, and very many of the Inhabitants forced to retire into the Countrey for habitation, according to exact computation, there was brewed within that year in *London*, four hundred fifty two thousand five hundred sixty three Barrels of strong Beer, sold at 12 *s.* 6 *d.* the Barrel, and five hundred and eighty thousand and four hundred twenty one Barrels of Ale, sold at 8 *s.* the Barrel, and four hundred eighty nine thousand seven hundred ninety seven Barrels of Table Beer, or small Beer, sold

sold at 6 s. 6 d. the Barrel. The Beer strong and small is 36 Gallons to the Barrel, and the Ale 32 Gallons to the Barrel, and now since the Pestilence and the Fire, that this City is again fully peopled, there is much more Liquor brewed.

It is true, that some hereof is transported beyond the Sea, but that is scarce considerable.

Besides all this Beer and Ale, there is consumed in *London* a vast quantity of French and Spanish Wines, much Rhenish-Wine, Sider, Mum, Coffee, Chocolate, Brandy and other Drinks.

The Excise only of Beer and Ale for the City of *London* (though it be a very moderate Imposition) is farmed or rented of the King at above one hundred and twenty thousand pounds a year, and about one fourth part of all that Excise throughout *England*.

Churches. Parish Churches, besides Chappels, there were in all 130; that is, double the number of Churches Parochial to be found in any City of *Christendom*, the Mother Church whereof, is Dedicated to the Memory of *St. Paul*, (the onely Cathedral of that Name in *Europe*, and founded by *Sebert* a Saxon King, about the year 610, in a place where had stood a Temple Dedicated to *Diana*, and afterward enlarged by *Ethenwald* the Fourth Saxon Bishop thereof; and that old Fabrick being almost destroyed by Fire, *Mauritius* another Bishop of *London*, in one thou-

thousand eighty three began and finished a great part of the present magnificent Pile, in the space of twenty years, but the Quire and Tower were not finished till 1221, and then it was dedicated in a most solemn manner (as was the Temple of *Solomon*) the King, the Bishops, and a vast number from all parts of the Nation assisting thereat.

It is seated on the highest part of all the City, and was more conspicuous, perhaps, then any Cathedral Church in the world; it was a structure for length, height, and antiquity, surpassing all other Churches; the length of it was 690 Foot (therein excelling by 20 Foot St. *Peters* in *Rome*, which for beauty, proportion, and divers other things, excels all other Temples) it was in height 102 Foot, and in breadth 130, and stood upon so much ground as contained above three Acres and a half. The Church was built as other Cathedrals, in a perfect Cross, and in the midst of the Cross, upon mighty high Arches, was a Tower of Stone 260 foot high, and on that a Spire of Timber covered with Lead, in height 260 Foot more, in all from the ground 520 Foot; above which was a Bole of Copper gilt, of 9 Foot in compass, whereon stood the Cross, 15 Foot and a half high, and almost 6 Foot across, made of Oak, covered with Lead, and another cover of Copper over the Lead; above all stood the Eagle, or Cock of Cop-

per Gilt, four foot long, and the breadth over the Wings 3 foot and a half.

In the year 1561, a part of this magnificent Pile was much wasted, and the rest endangered by a Fire begun in that stately Timber Spire, by the negligence of a Plummer, who left his Pan of Fire there, whilst he went to Dinner, as he confest of later years on his Death-Bed: but by the great Bounty and Piety of Queen *Elizabeth*, of the Citizens of *London*, and of all the Clergy of the Province of *Canterbury*, it was again repaired in the space of Five years. After which, the Stone-work decaying apace, by reason of the corroding quality of the abundance of Sea-coal Smoak, the Learned and Pious Martyr Doctor *Laud*, coming to be Bishop of *London*, and after of *Canterbury*, was so zealous and vigorous for upholding this most Antient Church, Stately Monument of *England*, and glory of the City of *London*, that by the Kings favor, and liberal contribution of Godly People (maugre all opposition of the *Puritans*) the work was so eagerly pursued, that before the year 1640, the whole Body was finished with *Portland* Stone, excellent against all smoak and weather, and the Tower scaffolded up to the top, with a purpose to take it all down, and to rebuild it more fair, and of a greater height; with a stately Pinnacle at each corner, because the Arches were not thought strong enough to support another Steeple, and to place in that Tower the biggest and

most

most tunable Bells in the World: for performance whereof, and for adorning the Church, there was in the Chamber of *London*, above one hundred and seventy thousand pounds, all taken out soon after, and employed in an Unnatural War, by a stiff-necked People, against the best of Kings, in which one single act, a great part of the Citizens of *London*, and of the *Long Parliament*, became deeply guilty of a horrid Rebellion, and detestable Sacrilege.

After the Murther, or rather Martyrdom, of the forementioned Archbishop, the Scaffolds were taken away and sold, with some of the Lead, which covered this famous Structure, and this House of God made a Stable for Horses by the disloyal Army, and almost all suffered to decay; till the Restauration of the King, who having a Pious intent to set upon the Repair thereof again, it was all ruined by the late dreadful Conflagration in 1666. Which yet hath not so discouraged our gracious Soveraign, but that in the year 1673 having already with vast Charges pulled down the huge burnt Walls, removed the Rubbish, and cleared the Foundations, His Majesty, like another *Solomon*, intends to lay a new Foundation of such a Fabrick as for Magnificence, Splendor, Solidity, Figure, and curious Architecture, the World perhaps never saw the like; the Model whereof hath been designed by that Prince of Architects, Sir *Christopher Wren*,

and approved of by the King: so that they who have seen the Old Temple, shall have no occasion (as the people in *Ezra, chap.* 3. 12.) to weep with a loud voice, but rather to shout for joy, when they shall see by the Foundation of the New, that it is likely to surpass the old as much as the present King doth surpass in dominions, in Power and Revenue, that King in whose raign the Old Church was erected: for the speedy promoting whereof, to the Glory of God, to the Memory of the Prince of Apostles St. *Paul*, to the great Renown of King *CHARLES* the Second, and to the high Honour of this City and Nation, both King and Parliament, City and Country, Clergy and Laity, High and Low, seem to stand engaged to lend their utmost aid and assistance; amongst other things, considering that probably it may be a lasting Monument, to evidence to all posterity, that in the midst of a crooked and perverse Generation, in the midst of many thousands, who had openly forsaken the Community of the Church of *England*, there wanted not a *David* to raise Money and provide Materials, nor a *Solomon* to begin and finish such a mighty Work of Piety, nor a *Bezaleel* and an *Aholiab*, curious Workmen, nor a People willing-hearted and liberal, in bringing in their Plate and Jewels in such abundance, till their liberality (as theirs, *Exod. chap.* 35, 36.) was thought fit to be restrained.

Of

Of the fore-mentioned Fire, that was able to destroy such a vast solid Structure as the Cathedral of *St. Paul*, a brief account may here be acceptable, especially to Forreigners, who have had imperfect Relations thereof.

THe City of *LONDON*, within the Walls, was seated upon, near Four hundred and sixty Acres of Ground, whereon was built about Fifteen thousand Houses, besides Churches, Chappels, Halls, Colledges, Schools, and other Publick Buildings, whereof about four parts of five, were utterly devoured in the late dismal Conflagration, and about one part of five, of the whole City and Suburbs, counting therein *Westminster* and *Southwark*: There were then destroyed Eighty seven Parochial Churches, six Consecrated Chappels, most of the Principal Publick Edifices; as the forenamed Cathedral of *St. Paul*, the great *Guild-Hall*, wherein are held nine several Courts belonging to the City; the *Royal Exchange*, the *Custome-House*, most Halls of Companies, which were so many Basilike, or Palaces, &c. wherein the whole damage is almost incredible.

In the one commodity of Books onely, wherewith *London* abounded, was lost, as Judicious *Stationers* have computed, One hundred and fifty thousand pounds; for the loss fell most upon that, and three or four other cumbersome Commodities, not easie

on a sudden to be removed, viz. Wines, Tobacco, Sugars, and Plums, wherewith this City was furnished beyond any City in the World, in so much that one person Alderman *Jeffreys*, lost of Tobacco to the value of Twenty thousand pounds. Yet, in this vast Incendy, not above Six or Eight persons were burnt: Of this dreadful Fire, there were many concurrent occasions.

First, the Drunkenness or Supine negligence of the *Baker* and his Servants, in whose House it began.

Next, the dead time of the night, wherein it began, viz. between One and Two of the Clock after Midnight, when some were wearied with working, others filled with drink, all in a dead sleep.

Thirdly, the dead time of the week being Saturday night, when Traders were retired to their Country-houses, and none but Maid Servants, or young Apprentices left to look to the City Houses.

Fourthly, the dead time of all the year, being then the long Vacation; on the Second of *September*, when Tradesmen were generally abroad in the Country, some in the remotest parts of *England*, to fetch in their Debts.

Fifthly, the closeness of the Buildings in that place, facilitating the progress of the Fire, and hindring the usual remedy, which was by Engines to shoot Water.

Sixthly, The matter of the Buildings thereabouts, which was generally Wooden, and of old Timber.

Seventhly,

Seventhly, The long continued Drought of the preceding Summer, even to that day, which had so dried the Timber, that it was never more apt to take Fire.

Eighthly, The matter of Wares in those parts, where were the greatest Magazines and Store-houses of the City, of Oyles, Pitch, Tar, Rosin, Wax, Butter, Brimstone, Hemp, Cordage, Cheese, Wine, Brandy, Sugars, &c.

Ninthly, An Easterly Wind, the driest of all other that had continued long before, and then did blow very strongly.

Tenthly, the unexpected failing of the Water, the *Thames* Water-Tower, near to the place where the Fire began, then out of order, and burnt down, immediately after the beginning of the Fire, so that most Water Pipes were soon dry.

Lastly. An unusual negligence at first, and a confidence of easily quenching the Fire, on a sudden changed into a general consternation and despondency, all People chusing rather by flight to save their Goods, than by a vigorous opposition to save their Houses and the City.

These Causes thus strangely concurring, (to say nothing of Gods just indignation, for the notorious impenitency of the Citizens, for their great abominations in aborting and indigating the shedding of the precious innocent Blood, both of Gods Anointed, and of their other Chief Governors, both in Church and State, for their still going on in their old hainous sins

of despising Dominions, and speaking evil of Dignities, till there be no remedy) those fore-mentioned causes, & wonderfully concurring by a general prodigious Conflagration, did make greater spoil in the space of three days, viz. from *Sunday* morning to *Wednesday* morning, then three or four Armies, unresisted, could easily have done in twice the time; for (to give the *Reader* some little prospect of the huge damages done by this Fire) it hath been computed by an Ingenious Person, that there were burnt in all, within the Walls of this City, Twelve thousand Houses, and without the Walls, One thousand Houses; all which valued one with another, at no more then 15 *l.* yearly Rent, which at the low Rate of Twelve years purchase, will amount in the whole to Three millions and nine hundred thousand pounds *Sterling*. Then the Eighty seven Parish Churches, the most spacious Cathedral Church of *S. Paul*, Six Consecrated Chappels, the *Royal Burse* or *Exchange*, the great *Guild-Hall*, the *Custome-House*, the many magnificent Halls of Companies, the several principal City Gates, with other publick Edifices, may well be valued at Two Millions.

The Wares, Houshold-Stuff, Moneys, and other moveable Goods lost and spoiled by the Fire, may probably amount to Two Millions of pounds, some say much more.

The Money spent in a general removing of Wares and Goods, during the Fire, and bringing them back afterward, in the hire

of

of Boats, Carts, and Porters, may be well reckoned at the least Two hundred thousand pounds; the Total whereof is Nine Millions, and Nine hundred thousand pounds; which reduced into *French Money*, will amount unto One hundred twenty eight millions, and seven hundred thousand *Livres Tournois*. And yet notwithstanding all these huge Losses by Fire, notwithstanding that most devouring Pestilence in the year immediately foregoing, and the then very chargeable War against Three Potent Neighbours, the Citizens recovering, after a few moneths, their active courage, have since so chearfully and unanimously set themselves to rebuild the City, that (not to mention whole Streets, built and now building by others in the Suburbs) within the space of four years, they have erected in the same Streets Ten thousand Houses, and laid out for the same Three millions of pounds *Sterling*, counting but 300 *l.* a House one with another; besides several large Hospitals, divers very stately Halls, Nineteen fair solid Stone Churches, that will cost above One hundred thousand pounds, were all year all at the same time erecting, and will be suddenly finished; which is here the rather mentioned, to stop the mouths of our *French* Adversaries, who oft alledge, that since our Reformation, scarce one solid Structure hath been Erected for Gods Worship, by the *English Protestants*; and that although they have done divers considerable Works of

Charity in founding of Hospitals and Alms-Houses, yet they have been very deficient in Works of pure Piety for advancing the Worship, the Praise, and the Glory of our Creator, which ought to be regarded in the first place; Moreover, as if the late Fire had onely purged the City, the Buildings are become infinitely more beautiful, more commodious, and more solid (the three main vertues of all Edifices) then before, nay, as if the Citizens had not been any way impoverished, but rather inricht by that huge Conflagration, they may be said to be even wanton in their Expences upon the stately Italian *Facciata's* or Fronts of their new Houses, Churches, and Halls, (many of *Portland Stone*, as durable almost as Marble) upon their richly adorned Shops, Chambers, Balconies, Signs, Portals, &c. Their Publick Halls are so richly adorned with curious Architecture Carved Work in Stone and Wood, with Pictures and Wainscote, not onely of Firre and Oak, but some with the sweet smelling Cedar. Their Churches beautified with excellent various Towers and Fronts of true Roman Architecture. They have made their Streets much more large and strait, paved each side with smooth hewen Stone, and guarded the same with massy Posts for the benefit of Foot Passengers; and whereas before they dwelt in low, dark, Woodden Cottages, they now live in lofty, lightsome, uniform *Brick* buildings, so that although our gracious

chose King cannot say of this his Capital City, as one of the Emperors said of *Rome*, *Lateritiam invenit, Marmoream reliquit*, yet he may say of it what is almost equivalent, *Ligneam invenit, Lateritiam reliquit*, and of a Principal structure of this City, the Royal Exchange, His Majesty may say, *Lateritiam invenit, Lapideam reliquit*; whereof take here this following brief Account.

The former Burse began to be erected in the year 1566, just one hundred years before it was burnt: it was built at the cost and charges of a Noble Merchant Sir *Thomas Gresham*, and in a solemn manner by a Herald and sound of Trumpet, in the presence and by the special Command of Queen *Elizabeth*, proclaimed and named the *ROYAL EXCHANGE*; it was built most of Brick, and yet was the most splendid Burse (all things considered) that was then in *Europe* (before the building whereof the Burse for Merchants was kept in *Lombard street*.)

Now it is built within and without of the forementioned excellent Stone, with such curious and admirable Architecture, especially for a Front, a Turret, and for Arch-work, that it surpasseth all other Burses, *Quantum lenta solent inter Viburna Cupressi.*

It is built Quadrangular, with a large Court, wherein the Merchants may assemble, and the greatest part in case of rain

by

or hot Sun-shine, may be sheltered in Side-Galleries or Portico's. The whole Fabrick cost above Fifty thousand pounds, whereof one half is disbursed by the Chamber of *London*, or Corporation of the City, and the other half by the Company of *Mercers*: and to reimburse themselves there will be let to hire 190 Shops above Stairs, at 20 *l.* yearly Rent each, and 30 *l.* Fine, besides the several Shops below, on the East and West sides, and the huge vaulted Cellars under ground; so that it will be the richest piece of ground, perhaps, in the whole World; for, according to exact dimensions, the ground whereon this goodly Fabrick is erected, is but 171 Foot from North to South, and 203 Foot from East to West (for it is *Quadrangulum oblongum*) so that it is but very little more than three quarters of an Acre of Ground, and will produce above 4000 *l.* yearly Rent.

River. The River whereon is seated this Great City, for its breadth, depth, gentle, strait, even course, extraordinary wholesome Water and Tides, is more commodious for Navigation, than perhaps any other River in the World. The Sea flows gently up this River fourscore miles, that is, almost to *Kingston*, twelve miles above *London* by Land, and twenty by Water, bringing the greater Vessels to *London*, and the smaller beyond; then against the Stream, Boats are drawn to *Oxford*, and higher many miles.

It

It is High Water at this City as oft as the Moon comes to the North-East and South-West points of Heaven, the one in our Hemisphere, and the other in the other Hemisphere. The highest Tides are upon a Land-flood, the Wind North-West at the Æquinoctial, and the Moon at full: when these four causes concur (which is very rare) then the *Thames* swells in some places over its banks, and *Westminster* is a little indamaged in their Cellars, not in their Chambers and Upper Rooms, as the City of *Rome* sometimes is by the over-flowing of the *Tiber*, and *Paris* by the *Seyne*.

This River opening Eastward towards *Germany* and *France*, is much more advantageous for Traffick than any other River of *England*. To say nothing of the variety of excellent Fish within this River, above all, of the incomparable Salmon, the fruitful fat Soil, the pleasant rich Meadows, and innumerable stately Palaces on both sides thereof; in a word, the *Thames* seems to be the very Radical moisture of this City, and, in some sense, the natural heat too; for almost all the Fuel for Firing is brought up this River from *Newcastle*, *Scotland*, *Kent*, *Essex*, &c.

From this River the City by Water-Engins is in many places supplied with excellent wholesome Water; also from almost twenty Conduits of pure Spring Water, so commodiously placed, that they serve all the

the chiefest parts of this City; and moreover, by a New River, brought at a vast charge and exquisite skill (by *Sir Hugh Middleton*, who deserves his Statue in Brass) from *Amwell* and *Chadwell*, two Springs near *Ware* in *Hertfordshire*, from whence in a turning and winding course, it runs threescore miles, before it reaches this City; in some places the Channel is necessarily thirty foot deep, in other places it is carried over Valleys more then twenty foot high above ground, in open Troughs. Over this New River are made eight hundred Bridges, some of Stone, some of Brick, and some of Wood: Six hundred Men have been at once employed in this great Work. It was begun 1608, and finished in five years. It serves the highest parts of *London* in their lower Rooms, and the lower parts in their highest Rooms; moreover, this City is so situated, that in all parts (though on the highest ground) it is abundantly served with Pump Water, and those Pumps in many places, not six foot deep in the ground.

Trade. The vast Traffick and Commerce whereby this City doth flourish, may be guessed at chiefly by the Customs which are paid for all Merchandise imported or exported, which are but very moderate Impositions in comparison of the Imposts of most other Countries of *Europe*, and yet the Customs of the Port of *London* only (without

(without counting the Customs of other Cities) did lately amount to above Three hundred thousand pounds a year, and are now risen to a much greater sum, by the infinite number of Ships, which by their Masts resemble a Forrest, as they lie along this stream, besides many that are sent forth every year to carry and fetch Commodities to and from all parts of the known World, whereby it comes to pass, that no small number of Merchants of *London*, for Wealth, for stately Houses within the City for Winter, and without for Summer, for rich Furniture, plentiful Tables, honourable living, for great Estates in Money and Land, &c. excel some Princes in divers of our Neighbour Nations. Moreover, one may conjecture at the huge Commerce, by the infinite number of great well furnished Shops; which a *Spaniard* once observing, together with the great number of Law Suits in Term time, made this Report of *London* to his Country-men, that it was indeed a great City, but made up of nothing but *Tiendas y Contiendas*, Shops and Suits: whereas he might rather have said more truly, in a few more words, viz. That *London* is a huge Magazin of Men, Money, Ships, Horses and Ammunition, of all sorts of Commodities necessary or expedient for the use or pleasure of Mankind: That *London* is the mighty Rendezvous of Nobility, Gentry, Courtiers, Divines, Lawyers, Physitians, Merchants, Seamen, and all kinds of excellent Artificers, of the most refined Wits and

and most excellent Beauties; for it is observed, that in most Families of *England*, if there be any Son or Daughter that excels the rest in Beauty or Wit, or perhaps Courage or Industry, or any other rare quality, *London* is their *North-Star*, and they are never at rest till they point directly thither.

Government.

The Government of this City, considering the greatness and populousness thereof, is very admirable, and might take up a Volume in the description thereof.

The Ecclesiastical Government is by a Bishop, was in the time of the *Britains* by an Archbishop, but when it became subject to the *Saxons*, the Archiepiscopal See was placed at *Canterbury*, not because that was the more worthy City, but for the sake of St. *Austin*, who first preached the Gospel there to the Heathen *Saxons*, and was there buried. Since which time it hath been under a Bishop above ten Centuries and a half in a continual Succession; in which space there are reckoned 99 Bishops of *London* to the present worthy Bishop thereof, the Grave, Learned, Pious Divine, Doctor *Humphrey Henchman*, Consecrated Bishop of *Salisbury* 1660. and Translated to *London* 1663. To this Cathedral also belongs a Dean, a Chapter, a Treasurer, and Thirty Prebendaries, all persons of worth.

For the Ecclesiastical Government of the several Parishes, there are placed many excellent Divines, that have the Cure of Souls,

Souls, a Rector or Vicar for every Parish, and these have for a long time had the repute of the most excellent way of Sermonizing in *Christendom*, insomuch as divers Divines of Foreign Reformed Churches, have come hither on purpose to learn their manner of haranguing in the Pulpit.

For maintaining these Divines with their Families, there is in every Parish a Parsonage or Vicaridge-house, and in most a competent allowance in Tithes. Anciently the Parsons due in *London*, besides the Tithes of the Tradesmens Gains, and Mortuaries, Obits, *&c.* was 3 *s.* 4 *d.* in the pound, of the yearly Rent of all Houses and Shops; and this was paid at Offerings on Sundays and Holidays, onely a Half-peny for each pound, whereby the Parishioners did hardly feel it, although the Sundays and Holydays were so many, that in a whole year it amounted to 3 *s.* 5 *d.* in the pound. Afterwards many Holidays being taken away, and the Clergy Means thereby abated, it was ordained 25 *H.* 8. that 2 *s.* 9 *d.* in the pound of all Rents of Houses and Shops should be paid yearly to the Parson, whereunto the *Landmen* did not onely consent, (as they had good reason, it being much less in the pound then before) but bound themselves by an Act of Common Council to perform the same, and the said Ordinance was confirmed in Parliament 27 *H.* 8. and again 37 *H.* 8. with a power given to the Lord Mayor to commit to prison any Citi-

Citizen that should refuse to pay his Tythes and Dues according to that proportion. But since the Reformation, many Men willing to think Tythes a rag of Popery, or else making no conscience of robbing God, have devised many base and fraudulent wayes by double Leases, by great Fines and small Rents, and several other wayes to cheat the Law and rob their God, *Mal.* 3. 8. compl'aint whereof being made to King *James* 1618. it was declared in his Court of *Exchequer*, by the Barons there, that the Inhabitants of *London*, and of the Liberties thereof, ought still (according to the afore-mentioned Acts) to pay 2 *s.* 9 *d.* in the pound, according to the true yearly value of the Rent of their Houses and Shops from time to time; but the Citizens (who think 2000 *l. per annum*, not enough for an Alderman or for a Lawyer, and yet 200 *l.* too much for a Pastor of a Parish) opposing the same, the business lies yet unestablished to the great dishonour of the Reformed Religion.

The Civil Government is not (as it is at *Paris*, *Rome*, *Madrid*, *Vienna*, and other Capital Cities) by a Chief Magistrate, some Nobleman set over the City by the King or Supreme Governour; or, as it was here in the time of the *Romans*, when the Chief Magistrate was called (as it is still in *Rome*) the *Prefect* of *London*, or, as it was in the time of the *Saxons*, when he was called the *Portgreeve*, that is, *Custos*, or *Custos*

Guardian, and sometimes *Provost* of *London*, but after the coming in of the *Normans*, the Chief Magistrate was called *Bailive* from the French word *Bailer*, *tradere*, *committere*, that is, *Commissarius*, or one that hath Commission to govern others, and there were sometimes two *Bayliffs* of *London*, till King *Rich.* I. *Anno* 1189. changed the name of *Bailiff* into *MAIOR*, which also being derived from the *French*, hath continued ever since, a Citizen chosen by the Citizens annually, unless sometimes for the disloyalty of the Citizens, their Priviledges and Franchises have been taken from them, and a Guardian set over them, as was done by *Hen.* III. and *Edw.* I.

Of later times, the Mayor of *London*, though always a Citizen and Tradesman, hath been of such high repute and esteem, that in all writing and speaking to him, the Title of *Lord* is perfixt, which is given to none others, but either to Noblemen, to Bishops, Judges, and of later times to the Mayor of *York*, or to some of the highest Officers of the Realm. He is also for his great Dignity usually Knighted by the King, before the year of his Mayoralty be expired; unless he had received that honour before, whilst he was Alderman, as of late hath been usual.

His Table is, and also the Table of each Sheriff, such, that it is not only open all the year to all comers, strangers and others, that are of any quality, but so well furnished, that it is always fit to receive the great-

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eſt Subject of *England*, or of other Potentate; nay, it is recorded, that a Lord Mayor of *London* hath feaſted four Kings at once at his Table; and the preſent King and Queen have been by ſome of the late Lord Mayors treated at their Table.

Alſo for the Grandeur of the Lord Mayor there is allowed above 1000*l.* a year for his Sword-bearers Table in the Houſe of the Lord Mayor.

His Domeſtick Attendance is very honourable; He hath four Officers that wait on him, who are reputed Eſquires by their places, that is, the Sword-bearer, the Common Hunt, who keepeth a gallant Kennel of Hounds for the Lord Mayors Recreation abroad; the Common Cryer, and the Water-Bailiff. There is alſo the Coroner, three Sergeants Carvers, three Sergeants of the Chamber, a Sergeant of the Channel, four Yeomen of the Water-ſide, one Under-Water-Bayliff, two Yeomen of the Chamber, three Meal-Weighers, two Yeomen of the Wood-Wharfs, moſt of which have their Servants allowed them, and have Liveries for themſelves.

His State and Magnificence is remarkable, when he appears abroad, which is uſually on Horſe-back with rich Capariſon, himſelf always in long Robes, ſometimes of fine Scarlet Cloth richly furred, ſometimes Purple, ſometimes Puke, and over his Robes a Hood of black Velvet, which ſome ſay is a Badge of a Baron of the Realm, with a great Chain of Gold about

about his Neck, or Collar of *SS.* with a great rich Jewel pendant thereon, with many Officers walking before, and on all sides of him, *&c.* but more especially on the 29 of *October*, when he goes to *Westminster* in his Barge, accompanied with all the Aldermen, all his Officers, all the several Companies or Corporations in their several stately Barges, with their Arms, Colours, and Streamers; and having there in the *Exchequer-Chamber* taken his solemn Oath to be true to the King, returns in like manner to *Guild-Hall*, that is the great Common Hall of Guilds, or incorporated Confraternities, where is prepared for him and his Brethren a most sumptuous Dinner, to which many of the great Lords and Ladies, and all the Judges of the Land are invited, and the last year the King and Queens Majesty, the Duke of *York* and Prince *Rupert* were pleased to honour that Feast with their presence.

This great Magistrate upon the death of the King, is said to be the Prime Person of *England*; and therefore when King *James* was invited to come and take the Crown of *England*, *Robert Lee*, then Lord MAYOR of *London*, subscribed in the first place, before all the Great Officers of the Crown, and all the Nobility.

He is usually chosen on *Michaelmas-day*, by the Livery-men or Members of the several Companies within the said City, out of the Twenty six Aldermen, all Persons of great Wealth and Wisdom, in which Election

Election the Senior Alderman that hath not been Mayor, hath usually the precedence, yet in this particular the said Electors are at their liberty.

The Lord Mayor on the day of the Kings Coronation, claims to be Chief Butler, and bears the Kings Cup amongst the highest Nobles of the Kingdom, which serve on that day in other Offices.

His Authority reaches not only all over this great City, and a part of the Suburbs, but also on the famous River of *Thames* Eastward, as far as *Yendale* or *Yenleet*, and the mouth of the River *Medway*, and Westward as far as *Colny-Ditch* above *Staines-Bridge*. He hath power to punish and correct all that shall annoy the Stream, Banks, or Fish; and for that end he yearly keeps several Courts in the Counties adjacent to the *Thames*, for conservation of the River and punishment of Offenders: Onely the strength and safety of the River against an Invasion, and securing Merchandizing and Navigation by Block houses, Forts, or Castles, is the care of the King.

The two Sheriffs of this City are also Sheriffs of the County of *Middlesex*, and are annually chosen by the Citizens from among themselves in the *Guild-Hall* upon *Midsummer-day*, a high Priviledge, among many other anciently granted to this City, by several Kings and Queens of this Kingdome, but they are not sworn till *Michaelmas-Eve*, and then are also presented at the *Exchequer*, to be allowed by the Ba-

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rons and sworn, after which they enter upon their Office. If the persons so chosen refuse to hold, they incur a penalty, unless they will take a solemn Oath that they are not worth Ten thousand pounds.

The 26 Aldermen do preside over the 26 Wards of the City, when any of these die, the Lord Mayor and Aldermen chuse another out of the most substantial Men of the City; if any so chosen refuse to hold he is usually fined 500 *l.*

All the Aldermen that have been Lord Mayors, and the three eldest Aldermen that have not yet arrived to that Honourable Estate, are by their Charter Justices of the Peace of this City.

To the Lord Mayor and the City of *London* belong divers Courts of Judicature of high importance. The highest and most antient Court is that called the *Hustings*, (i. e.) *Domus Causarum*, which doth preserve the Laws, Rights, Franchises, and Customs of the City. There is a Court of *Requests* or *Conscience*. The Court of the Lord Mayor and Aldermen, where also the Recorder and Sheriffs (who are usually Aldermen, or else constantly chosen upon the next Vacancy) sit. Two Courts of the Sheriffs, one for each Counter. The Court of the City Orphans, whereof the Lord Mayor and Aldermen have the Custody. The Court of Common-Council consisting (as the Parliament of *England*) of two Houses, one for the Lord Mayor and Aldermen, and the other for the Commoners

moners: in which Court are made all By-Laws, which bind all the Citizens of *London*; for every man either by himself, or by his Representative, gives his Assent thereunto, wherein consists the great happiness of the English Subject above all the Subjects of any other Prince in the World, that neither in Laws, nor By-Laws, neither in Taxes or Imposts, any man is obliged, but by his own consent. There is another Court of the Chamberlain of the City, to whom belongs the Receipts of the Rents and Revenues of the City, and to his Court, the business of Apprentices, over whom he hath a great authority. To the Lord Mayor also belong the Courts of Coroner and of Escheator, and another Court for the conservation of the River of *Thames*. Lastly, the Court of Gaol-delivery, held usually eight times a year, at the *Old-Bailey*, both for the City and *Middlesex*, for the Trial of Criminals, whereof the Lord Mayor is the Chief Judge; and hath power of Reprieving condemned persons.

There are other Courts called *Ward-mote*, or the meeting of Wards, whereof there are 26 in the whole City: in which Court, inquiry is made into all things that can conduce to the regulating and well-governing of the City. Also the Court of Hall-mote, or Assembly of every Guild or Fraternity, for regulating what belongs to each Company in particular.

The Traders of *London* are divided into Companies, or Corporations, and are so many

many Bodies Politique: Of these there are 12, called the Chief Companies, and he that is chosen Lord Mayor must be free of one of these Companies, which are 1. Mercers, 2. Grocers, 3. Drapers, 4. Fishmongers, 5. Goldsmiths, 6. Skinners, 7. Merchant-Taylors, 8. Haberdashers, 9. Salters, 10. Ironmongers, 11. Vintners, 12. Clothworkers; and if it happens that the Lord Mayor Elect is of any other Company, he presently removes to one of the Twelve: all which Companies have Assembly places called Halls, which are so many Basilizes or Palaces, and many of them worthy to be viewed by all Strangers. It hath been the custom of some of our Kings, to Honour some of these Companies, by taking their Freedom thereof; and the present King was pleased to be made free of the Company of Grocers, and the present Prince of *Orange*, lately chose to be made Free of the Company of Drapers.

Each Company or Mysterie hath a Master annually chosen from among themselves, and hath other Subordinate Governors called Wardens or Assistants. These do exactly correspond to the General Government of the City by a Lord Mayor, Aldermen and Common Council; who are selected out of those several Companies: so excellent an Harmony there is in that Government.

There are besides near 60 other Companies, or Corporations, all enjoying large Priviledges by the Kings Gracious Charter granted unto them, and fair Halls to Meet in.

A Liſt of the preſent Lord Mayor, Aldermen, &c.

Sir *William Hooker*, Lord Mayor.
Sir *Richard Cheverton*, Kt.
Sir *Thomas Allen*, Kt.
Sir *John Frederick*, Kt.
Sir *John Robinſon*, Kt. and Bar.
Sir *John Lawrence*, Kt.
Sir *Thomas Bludworth*, Kt.
Sir *William Peak*, Kt.
Sir *William Turner*, Kt.
Sir *Richard Ford*, Kt.
Sir *George Waterman*, Kt.
Sir *Robert Hanſon*, Kt.
These above have been all Lord Mayors.

Sir *John Howel* Kt. Recorder.
Sir *Robert Viner*, Kt.
Sir *Joſeph Sheldon*, Kt.
Sir *Denis Gawden*, Kt.
Sir *Thomas Davies*, Kt.
Sir *Francis Chaplyn*, Kt.
John Forth, Eſqr
Sir *John Smith*, Kt.
Sir *James Edwards*, Kt.
Daniel Forth, Eſqr
Patience Ward, Eſqr
Sir *Robert Clayton*, Kt.
Sir *John Moor*, Kt.
Sir *William Prichard*, Kt.
Sir *James Smith*, Kt. Sir

Sir *Nathaniel Herne*, Kt. Sheriff.
Le Taillier, Esqr Sheriff.
Sir *Thomas Player*, Kt. Chamberlayne.
George Jeffreys Esq. Common Serjeant.
William Wagstaffe Esqr Town Clerk.
Joseph Lane Esqr Comptroler of the Chamber, and Vice-Chamberlayne.

Something of the Military Government both Antient and Modern, of this mighty Populous City, is also well worthy to be known, both to English and Forreigners. In the 24 of *Henry* the Eight, 1532 at a general Muster in *London*, were first taken the Names of all Men within this City and Liberties only (which reach not far without the Walls) from the age of 16 to 60. and also the Number of all Harneises, and of all sorts of Weapons for War, then they drew out of these only such able Men, as had White Harness, and caused them all to appear in White Coats, White Breeches, and White Caps and Feathers, and because Notice was given, that the King himself would see them Muster, they all prepared to appear as splendidly as they could, and to that end the Lord Mayor, Aldermen, Recorder, and Sheriffs, and all who had been Sheriffs, had all White Harness, and over that Coats of black Velvet, with the Arms of the City Embroidered thereon, each one a great Gold Chayn, and mounted on a goodly Horse, with rich Trappings, on their Heads Velvet Caps, in their hands Battle Axes Gilt: Each Alderman and the

Recorder had four Halberdiers in white Silk, or else Buff Coats, waiting on them with Gilt Halberds; and the Lord Mayor had 16 tall Men apparelled in White Satin Doublets, Caps, and Feathers, Chains of Gold and other gorgeous Attire, with long Gilt Halberds following his Lordship at a distance, but next to him he had four Footmen in White Satin, then two Pages cloathed in Crimson Velvet and Cloth of Gold, riding on gallant Horses richly furnisht, one of them carrying the Lord Mayors Helmet, and the other his Pole-Ax, both richly guilt and adorned. Most of the Citizens of any Quality or Office, were in White Satin or White Silk Coats, with Chains of Gold and some with rich Jewels. What was the number then of Men in Arms was not recorded, but that may be guessed at by what follows. They mustered in *Mile-end-Fields*, and before Nine of the Clock in the Morning began to march, entring at *Algate* in excellent Order down to *Westminster*, where the King and Court stood to view them passing by, thence they marched about St. *James's Park*, so through *Holborn* up to *Leaden Hall*, and there disbanded immediately; and yet this was not done till Five of the Clock in the Evening, which was Eight hours continual March.

At the time of the happy Restauration of His Majesty now Raigning, there were in *London* and the Liberties, six Regiments of Train Bands, and six Regiments of Auxiliaries, and One Regiment of Horse. These

These Thirteen Regiments about six weeks before His Majesties arrival mustered in *Hyde Park*, being then drawn on for promoting and securing His Majesties Return. These Twelve Regiments of Foot were 12000 compleat. Eight of those Regiments had Seven Companies in each, and the other four had Six Companies in each, in all Eighty Companies. The Regiment of Horse of Six Troops, and a hundred in each Troop. This considerable Army drawn together before the 29th of *May*, the day of His Majesties Return, was judged to be highly useful for facilitating that Happy Work. Some Months after, His Majesty sent to the City a Commission of Lieutenancy, appointing several persons to act as his Lieutenants in *London*; giving them the same power that the Lord Lieutenants have in their respective Counties, and in pursuance of that Commission, the Regiments were new settled. There were Six Regiments of Train Bands, Commanded by Six Citizens, Knights, and their Lieutenant Colonels were all Knights; and there were Six Regiments of Auxilaries. In all these Twelve Regiments were Twenty thousand Men; then there were listed Two Regiments of Horse, each consisting of Five Troops, in all Eight hundred Horse. These were all drawn into *Hyde-Park*, where His Majesty was pleased to take a view of them. But in case of need, it is certain that in *London*, and within the Liberty, there was in

few dayes be raised Forty thousand Men. Besides *Southwark*, one Regiment of Train Band. Fifteen hundred Men, the Hamlets of the Tower, Two Regiments, in all Three thousand Men; then *Holborn* Regiment and *Westminster* Regiment, Two thousand each; and in case of necessity, they can raise Twenty thousand more.

Besides these Train Band and Auxiliary Men, there is the *Artillerie Company*, which is as a Nursery of Souldiers, and hath been so above Threescore years. The present King listed himself there when he was Prince of *Wales*, and so did his Royal Highness the Duke of *York* at the same time, who since His Majesties Return, hath taken the Command thereof, and owns as his Company: Under his Highness there is a Leader who exercises this Company every Tuesday fortnight, and the other Tuesday the Exercise is performed by the several Members of the Company, who are there trained up to command. Of this Society are many of the Nobility, also the Lord Mayor and most of the Aldermen. All the Commanders of the Train Bands and Auxiliaries here exercise Arms. This Company consists of Six hundred Men. Their Officers are, a Leader, two Lieutenants, two Ensigns, two Sergeants, a Provost Marshal, four Gentlemen of Arms, &c. They have also a Court Marshal, consisting of a President, Sir *John Robinson*, a Vice-President, Sir *Joseph Sheldon*, a Treasurer Colonel *John Mews*, and Twenty four Mem-

Members of the Company. On the second Tuesday in *February*, at a general Rendezvous every year the Officers are elected.

For the security and defence of this famous City and River, there have been anciently divers Fortresses; but that called the *Tower of London*, hath been eminent above all others. It is not only a Fort or Cittadel, to defend and command both City and River, but a Royal Palace; where our Kings with their Courts have sometimes lodged, a Royal Arsenal, where are Arms and Ammunition for 60000 Soldiers; the Treasury for the Jewels and Ornaments of the English Crown; the only Mint for Coyning of Gold and Silver; the great Archive where are conserved all the Records of the Courts of *Westminster*; the Chief Prison for the safe custody of great Persons that are *Criminals* in short, if the great extent thereof within the Walls be considered, and its authority over the several Hamlets without, and the many high Priviledges and Liberties belonging thereto, it may rightly be reputed a *City* then a *Cittadel*. *Tower.*

The Tower of *London* is out of all County or *Parish* (only a small part, some hold to be in *Stebunheth*) is a liberty of it self, exempt from all Taxes to the King, to the Church, or to the Poor. It hath a *Parochial Church* exempt from all Ecclesiastical Jurisdiction of the Archbishop, and

is a Donative bestowed by the King without Institution or Induction. There are Thirteen Hamlets in several Parishes, of large extent, belonging to the Tower, whose Train Bands are all bound to assist the *Constable* or *Lieutenant* of the Tower; they are all called the *Kings Company*, are to wait on the Kings Person in time of need, and to go no farther than the King.

Within the Tower is kept the Office of His Majesties Ordnance, which hath been always an Office of great Account and Importance, as being the only standing and Grand Magazine of the Principal Preparatives, Habiliaments, Utensils, and Instruments of War, as well by Sea as Land, for the defence and safety of the Kingdoms; and consequently hath influence in the Navies, Forts, Castles, and Armies thereof: having the superintendence, ordering, and disposing, as well of the Grand Magazine lodged in the Tower, as at the *Minneyes*, *Woolwich*, *Chatham*, *Windsor*, *Portsmouth*, *Plymouth*, *Hull*, and elsewhere; Wherein is Ammunition at all times for as many Land and Sea Forces, as may not only defend *England*, but be formidable to all our Neighbours. It is under the Government in Chief of the Master of the Ordnance, who is commonly a Person of great Eminence and Integrity, and is in *France* called *Le Grand Maistre d'Artillerie*; which word *Artillerie*, is either *ab arte telorum mittendorum*, or else as it denotes all manner of Ord-

Ordnance, may possibly be derived from the *Italian Artiglio*, signifying the Talons or Claws of *Vultures*, *Eagles*, and such rapacious Birds of Prey, as also of *Dragons*, *Basilisks*, and *Griffons*, by which they not only defend themselves, but tear and rend in pieces all that oppose them. Hence the several sorts of Canon seem to be denominated from such kind of Creatures, as *Falcons*, *Falconets*, *Saker*, *Culverines*, from the Latine *Coluber*, signifying a Serpent or Dragon, and Basilisks, &c.

The Place of Master General of the Ordnance is, since the Death of that accomplished Gentleman *Sir William Compton*, conferred upon the eminently deserving Sir *Thomas Chicheley* Knight, under whom the Administration, and Management of the said Office is committed to these Principal Officers following, viz.

The Lieutenant-General, Surveyour, Clerk of the Ordnance, Keeper of the Stores, Clerk of the Deliveries, and the Treasurer and Paymaster, who all hold their Places by Patent under the Great Seal.

The Lieutenant of the Ordnance, since the Death of Colonel *William Legg*, is *David Walter* Esquire, Groom of His Majesties Bedchamber, whose duty is, in the absence of the Master of the Ordnance to impart all Orders and Warrants directed to the Office, and to see them duly executed, and to give Order for discharging the great Ordnance, when required upon Occasion.

tion-dayes, Festivals, Triumphs, and the like; as also to see the Train of Artillery, and all its Equipage fitted for motion upon any occasion, when it shall be ordered to be drawn into the Field.

The Surveyour is *Jonas Moor* Esquire, whose Charge it is to survey all His Majesties Ordnance, Stores and Provisions of War, in the Custody of the Store-keeper, which he is to see so distinguished and placed, as shall be best for their Preservation and Safety, for a decent view, and a ready Accompt. To allow all Bills of Debt, and to keep Check upon all Labourers and Artificers Works; and to see that all Provisions received, be good and serviceable, and duly proved with the Assistance of the rest of the Officers, and the Proof Masters, and marked with the Kings Mark, if they ought so to be.

The Clerk of the Ordnance is *Edward Sherburne* Esquire, whose Place is to Record all Orders and Instructions given for the Government of the Office; as likewise all Patents and Grants, and the Names of all Officers, Clerks, Artificers, Attendants, Gunners, Labourers, and others, who enjoy the said Grants, or any other Fees from the King for the same; to draw all Estimates for Provisions and Supplies to be made, and all Letters, Instructions, Commissions, Depositions, and Contracts for His Majesties Service; to make all Bills of Imprest, and Debentures for the Payment and Satisfaction of the respective

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Artificers and Creditors of the Office, for Work done, or Provisions received; and Quarter-Books for the Salaries, Allowances and Wages of all Officers, Clerks, and other Ministers belonging to the said Office; as also to keep Journals and Liegers of the Receipts and Returns of all His Majesties Stores, that nothing be bought, borrowed, given, received, lent, or imployed without due Record thereof, to serve as a check between the two Accomptants of the Office, the one for Money, the other for Stores.

The Store-keeper is Sir *George March*, who is to take into his Charge and Custody, all His Majesties Ordnance, Munition, and Stores thereunto belonging; and to indent and put in Legal Security for the safe keeping thereof, and for making just and true Accompt from time to time; to receive no Provisions whatsoever that are manifestly unserviceable, or before they have been surveyed by the Surveyour; nor to issue any Proportion of Ordnance, Munition, or Stores, except the said Proportion be agreed upon, and signed by the Officers, according to the signification and appointment of the Master of the Ordnance, grounded upon Order of His Majesty, or Sir, or the Privy Council, or the Lord Admiral, for matters concerning the Navy. Nor to receive back any Stores formerly issued, until they have been reviewed by the Surveyor, and registred by the Clerk of the

Ordnance

Ordnance in the Book of Remains, to look that all His Majesties Store-houses be well repaired, and well accommodated, and the Stores kept in such Order and Lustre, as is fit for the Service and Honour of the King.

The Clerk of the Deliveries, since the surrender of the said place by *George Wharton* Esquire, is *Samuel Fortrey* Esquire, whose special and proper duty is to draw all Proportions for Deliveries of any Stores and Provisions, and to be at present at the Delivery, and by Indenture to charge the Particular Receiver of His Majesties Munition, whether Captain, Gunner, or other, and to register as well the Copies of all Warrants for Deliveries, as the proportions delivered, thereby to discharge the Store-keeper.

The Place of Treasurer and Pay-Master of the Office, was formerly an Appendix to that of the Lieutenant of the Ordnance, but His Majesty that now is, for several Reasons, was pleased to Order, that after the Vacancy of that Charge, by the Death of Colonel *Legg*, the said Office of Treasurer should be no more executed by the Lieutenant, or any other Person having other Charge or Employment in the Office of the Ordnance, and accordingly hath been since pleased to erect the said Place into a Particular Office, distinct from any the aforesaid Offices, and to confer the same by Patent upon *George Wharton* Esq; who now enjoyes the same.

There

There are other subordinate Officers, who likewise hold their Places by Patent, as,

First, the Master Gunner of *England*, Captain *Valentine Price*, who is to teach and instruct all such as desire to learn the Art of Gunnery, and to administer to every Scholar an Oath, which, besides the duty of Allegiance, bindeth him not to serve any Forreign Prince or State, (without leave) nor to teach the Art of Gunnery unto any, but such as have taken the said Oath, And to certifie to the Master of the Ordnance the sufficiency of any person recommended to be one of His Majesties said Gunners, and his ability to discharge the duty of a Gunner.

Secondly, the Keeper of the small Guns, Mr. *Richard Beesbler*, who hath the charge and custody of His Majesties Small Guns, as Muskets, Harquebuzes, Carabines, Pistols, &c. with their Furniture.

There are divers other inferiour Ministers, Attendants, & Artificers, as the Clerks, Proof-Masters, Messenger, Master-Smith, Master-Carpenter, Master-Wheelwright, Master-Gunsmith, Furbusher, and the like, which, for brevity sake, shall be passed over.

Yet it may not here be omitted, that there is a further superintendency and jurisdiction, peculiar to the Master of the Ordnance, over all His Majesties Engineers, employed in the several Fortifications of this Kingdom, most of whom have their Salaries and Allowances payable in the said Office;

to

to which they are accountable, and from whence they receive their particular Orders and Instructions, according to the Directions and Commands given by His Majesty, and signified by the Master of the Ordnance.

His Majesties principal Engineer at present is Sir *Bernard de Gomm* Knight.

Moreover, in the *Tower* is kept the Office of Warden of the Mint, where onely, of later times, is Minted all the Bullion that is Minted in *England*; although the King hath power to set up a Mint in any other place of His Kingdom.

In this Office are divers Persons of quality and worth, whereof the Principal Officer is called the Warden of the Mint; whose Office is to receive the Silver and Gold brought in by Merchants, Goldsmiths, or others, to pay them for it, and to oversee all the rest, and is at present Sir *Anthony St. Leger*, Fee 100 *l. per Annum*.

Next is the Master-worker, who receives the Bullion from the Warden, causes it to be melted, delivers it to the Moneyers, and when it is Minted, receives it again from them. His allowance is not any set Fee, but according to the pound weight; is at present *Henry Slingsby* Esq.

The third Officer is the Comptroller, who sees that the Money be all made according to the just Assize, to oversee the Officers, and Control them, if the Money

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be not as it ought to be; his Fee is 100 Marks, and is now *James Hare* Esquire: These three Officers hold by Patent of the King.

The Fourth is the Assay-Master, who weighs the Bullion, and sees that it be according to the Standard; whose Fee is also 100 Marks, and is Mr. *John Brittle*.

The Fifth is the Auditor, to take the Accounts, and make them up.

The Sixth is the Surveyor of the Melting, who is to see the Bullion cast out, and not to be altered after it is delivered to the Melter; which is after the Assay-Master hath made Trial thereof.

There is moreover a Clerk of the Irons, a Graver, a Weigher, a Teller, Melters, Blanchers, Moneyers, with some other Officers belonging to the Mint.

Touching the Moneys there Minted, the Gold or Silver *Coin*, a large account hath been given in the First Part of the *Present State of England*.

The Office of His Majesties Records, kept in the *Tower* of *London*, is of venerable Antiquity, and the place of Keeper, and Deputy of the same, dignified with special Trust, whereof Sir *Algernon May* Knight, is at present the Keeper, Salary 100 *l. per Annum*; and *William Ryley* Esquire, of the *Inner Temple*, is Deputy thereof.

This place is properly in the Master of the Rolls his Gift; and then His Majesty by

by His Letters Patents hath usually confirmed it.

As the *Chappel* of the *Rolls* in *Chancery-Lane*, and *Petty-Bag* Office, doth fill with Records out of other Offices, they are transmitted into the *Tower* after some year, for it hath been the wisdom and care of former Ages, to send the Records of several Courts to the *Tower*, for their preservation and safety, not onely as a Policy of State, but the particular Interest of all men, having Estates requiring it, there being many Precedents for it remaining in the Records of the *Tower*; and a particular form of a Writ to send the Records in the Chappel of the *Rolls* to the *Tower* of *London*. The Records of the *Tower* (amongst other things) contain the Foundations of Abbeys, and other Religious Houses, and the Records in the Rolls contain the dissolution of those Abbeys, and the Donation of the Lands, of which many Families are now possest; and if those Records were all in one place, the People might have access unto them, all under one and the same Search and Charge; which would be a great ease and benefit to the People, and a safety to the Records of this Nation.

Besides these Records at the *Rolls* being joyned to those in the *Tower*, will make a perfect continuance of all the Antient Rights of the *English Nation*, which are now

now set forth in the Records of the *Tower*, whereof these following are a few heads or particulars of them, viz.

The Leagues of Foreign Princes, and the Treaties with them.

And all the Atchievments of this Nation in *France*, and other Foreign Parts.

The Original of all the Laws that have been Enacted or Recorded, until the Reign of *Richard* the Third.

The Homage and Dependency of *Scotland* upon *England*.

The Establishment of *Ireland*, in Laws and Dominions.

The Dominion of the *British Seas*, totally excluding both the *French* and *Hollander* to Fish therein, without Licence from *England*, proved by Records before the Conquest.

The Interest of the *Isle of Man*, and the *Isles of Jersey*, *Guernsey*, *Sark*, and *Alderney*; which four last are the remaining part of the *Norman* Possession.

The Title to the Realm of *France*, and how obtained.

And all that the Kings or Princes of this Land, have until that time done abroad, or granted or confirmed unto their Subjects at home or abroad.

Tenures of all the Lands in *England*, Extents or Surveys of Mannors and Lands, Inquisitions *post mortem*, being of infinite advantage upon trials of Interest or Descent.

Liber-

Liberties and Priviledges granted to Cities and Towns Corporate, or to private Men, as Court-Leets, Waifs, Estrays, Mercats, Fairs, Free-waren, Felons Goods, or what else could come to the Crown, or pass out of it.

Several *Writs*, Pleadings, and proceedings, as well in *Chancery*, as in all the Courts of *Common Law* and *Exchequer*.

Inspeximus's, and Inrolments of Charters and Deeds, made and done before the Conquest, Deeds and Contracts between Party and Party, and the just establishment of all the Offices in the Nation.

The Metes and Bounds of all the Forests in *England*, with the several respective Rights of the Inhabitants therein to Common of Pasture, *&c.* Besides many other Priviledges and Evidences, which are too long to be here repeated or inserted.

And are therefore in the Petition of the Commons of *England* in Parliament, *An.* 46 *Edw.* 3. *Num.* 43. said to be the perpetual Evidence of every mans Right, and the Records of this Nation; without which, no story of the Nation can be written or proved.

These Records are repositted within a certain Place or Tower, called *Wakefield Tower*, adjoyning to the *Bloudy Tower*, near *Traitors Gate*. There is another place called *Julius Cæsars* Chappel in the *White Tower*: The going up to this Chappel is in *Cold Harbor*, eighty four steps up, with six

ſix or eight great Pillars on each ſide, and at the upper end thereof, there was a Marble Altar, which in the late times of Rebellion was cauſed to be beaten down, as a Monument of Tyranny and Superſtition.

There are many Cart load of Records lying in this place, out of which, *William Prynne* Eſquire, late Keeper of the ſame, with indefatigable labour, Collected and Printed many of publick Utility, *Anno* 1659, 1660, 1662, 1664. in four ſeveral Volumes, beginning *Primo Regis Johannis*; for before that time there were no Rolls, but onely *Charta Antiqua*, or Antient Tranſcripts made and done, before and ſince the Conqueſt, until the beginning of King *John*. Then follows his Son *Henry* the Third, where the firſt Office *Poſt Mortem* begins. Then there is *Edward* the Firſt, Second, and Third, *Richard* the Second, *Henry* the Fourth, *Henry* the Fifth, *Henry* the Sixth, and *Edward* the Fourth; and the Inquiſitions *Poſt Mortem* of *Richard* the Third, who Reigned onely three years. The Rolls of that King are in the Chappel of the Rolls in *Chancery Lane*.

The Rolls of the *Tower* are variouſly diſtinguiſhed, *viz. Rotuli Patentium Cartarum Parliamentorum, Clauſarum finium Scotiæ, Vaſconiæ, Franciæ, Hiberniæ, Walliæ, Normaniæ, Alemanniæ, Oblatæ, Liberatæ, Extraditæ, Perambulationes, Foreſtæ, Scutag. Rotul. Mareſchal, Romæ, de Tregis Chart. & Patent. faſt. in partibus tranſ-*

transmarinis. Patent de Domibus Judæorum Protection de Perdonation, &c. Stapulæ, cum multis aliis, which are lately depicted upon the outside of every Press in the Repository belonging to each Kings Reign, and very easily to be brought forth for the use of the Client, by a Table of Orders hanging up in the said Office, and subscribed by the Keeper hereof.

The same is to be kept open, and constantly attended for all Resorters thereto, from the hours of Seven till Eleven of the Clock in the Morning, and from One till Five in the Afternoon, every day of the week, except in the moneths of *December*, *January*, and *February*, and in them, from Eight till Eleven in the Morning, and from One to Four in the Afternoon, except on Holy-days, Publick Fasting, and Thanksgiving Days, and Times of great Pestilence.

The Governour of this Great and important Fortress, being called *The Lieutenant of the Tower*, is usually a person of great worth and fidelity, who is, *Virtute Officii*, to be in Commission of the Peace for the Counties of *Kent*, *Surrey*, and *Middlesex*. He is High Steward of a Court there held, hath a Deputy, and may refuse an *Habeas Corpus*, may give Protection to all Debtors belonging to the *Tower*, *infra Regnum Angliæ*. Hath the Priviledge to take *Unam lagenam*, Two gallons and a Pint, *Ante malum & retro*, of all Wine-Ships that come, and to be, as some hold, *Custos Rotulorum* of

of the County of *Middlesex*. His Salary is 200 *l. per annum*. His usual Fee for every Prisoner sent to the *Tower*, who are commonly Men of Estates, is 20 *l.* and 3 *l.* a week for an Esquire, and 5 *l.* for a Knight. For a Baron or above 50 *l.* at entrance, to whom the King allows weekly 10 *l.* whereof two parts go to the Prisoner, the third to the Lieutenant for Lodgings and Diet; and 50 *l.* to the Lieutenant upon the Prisoners Discharge.

The present Lieutenant of the *Tower*, is Sir *John Robinson* Baronet.

The Gentleman Porter of the *Tower* holds his place by Patent, and at the entrance of a Prisoner, hath for his Fee *Vestimenta superiora*, or else a Composition for the same.

The Gentleman Jayler is put in by the Lieutenant of the *Tower*, his Fee is 40 *s* of a Gentleman, and 5 *l.* of a Knight. Then there are Fourty Warders of the *Tower*, accounted the Kings Domestick Servants, and sworn by the Lord Chamberlain of His Majesties Houshold, or by the Clerk of the *Check*.

The Moneys allowed by the King to the several Officers and Servants in the *Tower*, and for keeping in repair that huge Structure, amounts to a vast sum.

Near the *Tower* is St. *Catherines*, which hath a Royal Jurisdiction for the Ecclesiastical Causes and Probate of Wills, and belonged to the Queen; Dr. *Bud* is Commissary; from whom, if any will appeal, it must be to the King in his Court of *Chancery*,

Chancery, who thereupon issueth out a Commission under the Great Seal, as in Appeals from the *Arches* or *Prerogative*.

Bridges. The next thing remarkable in the City of *London*, may be the *Bridge*, which for admirable Workmanship, for vastness of Foundation, for all Dimensions, and for solid stately *Houses*, and rich Shops built thereon, surpasseth all other in *Europe*; it hath nineteen Arches, founded in a deep broad River, and some lay on a soft, ozy ground; is Eight hundred foot in length, Sixty high, and Thirty broad; hath a Draw-bridge almost in the middle, and Twenty foot between each Arch; it was built *Anno* 1209. in the Reign of King *John*. The first Stone-Bridge in *England*, having been built above One hundred years before, by Queen *Maud*, Wife to *Henry* the First, at *Stratford*, on the River *Lee*, Three miles from *London*; so called from the High-way there passing over a Ford, and since called *Stratford Bow*, from the Arched Bridge; a piece of Architecture then new to the *English* Nation.

The building of this Bridge of *London*, was an exceeding difficult and costly piece of Work, and to those that consider the constant great Flux and Reflux at that place, it seems almost impossible to be done again. The charges of keeping it in repair, is so great, that it hath been thought fit

fit by our Ancestors to have a large House, a vast Revenue in Lands and Houses, divers considerable Officers, &c. to be set apart for the constant care and repair thereof: The principal whereof are the two Bridge-Masters, chosen out of the Body of the Liveries upon *Midsummer-day*, after the Sheriffs and the Chamberlain.

Concerning this *Bridge*, and the stupendious Site and Structure thereof, take here the fancy of an Ingenious Person deceased.

When Neptune *from his Pillows* London *spy'd,*
Brought proudly thither by a High-Spring-Tide:
As through a floating Wood he steer'd along,
And moving Castles clustr'd in a throng.
When he beheld a mighty Bridge *give Law*
Unto his Surges, and their fury awe;
When such a Shelf of Cataracts *did roar,*
As if the Thames *with* Nile *had chang'd her Shoar.*
When he such massie Walls, such Towers did eye,
Such Posts, such Irons on his back to lie:
When such vast Arches he observ'd, that might,

Numerous

Nineteen Rialto's *make; for depth and height.*
When the Cerulean *God these things surveyd,*
He shook his Trident, *and, astonish'd, said,*
Let the whole Earth now all her Wonders count,
This Bridge *of Wonders is the* Paramount.

Not far from this wonderful *Bridge* is the fatal place, where the dreadful Fire aforementioned first began, near which is now erecting (as was ordered by an Act of Parliament, immediately after the Fire) a Pillar, in perpetual memory thereof. It will be of the *Dorick* Order, 175 Foot high, and 15 Foot Diameter, all of solid *Portland Stone*, with a Stair-case in the middle of black Marble, with an Iron Balcone on the top, not unlike those two antient White Marble Pillars at *Rome*, erected in Honour of the Emperours, *Trajan* and *Antoninus*, those two excellent Princes; they were there built above 1500 years ago, and are still standing entire. The Piedestal of this our Pillar, is also all of *Portland Stone*; and is 21 Foot square, and 40 Foot high, whereon is to be a large Inscription.

Not far below this famous Bridge is placed the *Custome-house*, where is received and managed all the Impositions laid on Merchandise, Imported or Exported from this City, which are so considerable, that of all the Customs of *England*, divided into three parts, the Port of *London* pays

Two

Two thirds, that is above 330000 *l.* yearly.

In this Office are employed a great number of Officers, whereof divers are of considerable quality and ability.

First seven Commissioners, who have the charge and oversight of all His Majesties Customes in all Ports of *England*, and are at present these,

Sir *Richard Temple*, Bar.
Sir *William Thompson*, Kt.
Sir *William Lowther*, Kt.
William Garway, Esq;
Francis Millington, Esq;
John Upton, Esq;

Salary to each one 1000 *l.* a year, these have many Deputies or Wayters in the Port of *London*, and also in all the out Ports.

Then there are Customers, Collectors, Comptrollers, Surveyers, Searchers, Wayters, *&c.*

Sir *Nicholas Crispe*, Collector of the Subsidyes or Customs outwards. Fee 276 *l.*

Phillip Warwick Esq; Customer of the Cloth and Petty Customs, Fee 277 *l.*

Sir *John Shaw* Collector of the Customs inwards, Fee 466 *l.* 13 *s.* 4 *d.*

Sir *John Shaw* also for the Act of Navigation, Fee 500 *l.*

George Wilmer Esq; Petty Customer inwards, Fee 62 *l.* 6 *s.* 8 *d.*

William Thorn, one of the Customers of the great Customes, Fee 50 *l.*

Edward Brewer Senior, the other Customer, Fee 50 *l.*

Edward Backwell Esq; Comptroller of the Customs inwards and outwards, Fee 255 *l.*

Britain Esq; Comptroller of the Cloth and Petty Customs, Fee 100 *l.*

George Porter Esq; Surveyour of the Customs inwards and outwards, Fee 300 *l.*

George Nicholas Surveyour Gen. Fee 500 *l.*

Francis Hodges, Comptroller of the great Custom, Fee 30 *l.*

Culliford, Register of the Scisures, Fee 106 *l.*

Thomas Alwey Esq; chief Searcher, Fee 120 *l.*

Five under Searchers, *Daniel Colwal*, *Thomas Burton*, *Robert Foster*, *William Dockwra*, *John Seymour* Esquires.

Eighteen Kings Wayters, Fee to each 52 *l.* yearly.

Sir *Edmond Turner*, Surveyour of the out-Ports, Fee 250 *l.*

Note that the due Perquisits belonging to each of these Officers above mentioned, are very considerable, and to some are much more then their respective Salaries.

In all the out-Ports His Majesty hath the like Officers, who all likewise receive Salaries out of his Majesties Revenues.

The Hou.. where this great Office was kept, being destroyed by the late Fire, is now rebuilt in a very much more magnificent uniform, and commodious manner by

by the King, and hath cost His Majesty 90000 l. the Building.

There are at present within this City of London, *divers other very considerable Offices, whereof take the account following.*

Of the Office of Post-Master-General.

THe Profits of the said Office, are setled by Act of Parliament, on his Royal Highness the Duke of *York*; but His Majesty doth constitute his *Post-Master General* by Letters Patents under the Great Seal of *England*; and accordingly hath conferred that Office upon the Right Honorable *Henry* Earl of *Arlington* Lord Chamberlain of His Majesties Household.

The present Post-Master General keepeth one Grand or General Office in the City of *London*, from whence, Letters and Packquets are dispatched.

Every Monday to *France*, *Italy*, *Spain*, *Flanders*, *Germany*, *Sweden*, *Denemarck*, &c. and to *Kent*.

Every Tuesday to the *United Neatherlands*, *Germany*, &c. and to all parts of *England*, *Scotland* and *Ireland*.

Every Wednesday to *Kent* onely, and the *Downs*.

Every Thursday to *France*, *Spain*, *Italy* and all parts of *England* and *Scotland*.

Every Friday to the *Spanish* and *United Netherlands*, *Germany*, *Sweden*, *Denmarck*, and to *Kent*.

Every Saturday to all parts of *England*, *Scotland* and *Ireland*.

And the Answers of the said Letters and Pacquets, are received in the said Office in due Course; and from thence dispersed, and delivered, according to their respective directions, with all expedition.

The said Office is managed by a Deputy, and other Officers, to the number of Seventy seven persons; who give their actual attendance respectively in the dispatch of the business.

Upon this Grand Office depends One hundred eighty two Deputy Post-Masters in *England* and *Scotland*; most of which keep Regular Offices in their Stages, and Sub-Post-Masters in their Branches, and also in *Ireland*, another General Office for that Kingdom, which is kept in *Dublin*, consisting of Eighteen like Officers, and forty five Deputy Post-Masters.

The present Post-Master-General keeps constantly for the transport of the said Letters and Pacquets,

Between *England* and
- *France*, Two Pacquet-Boats.
- *Flanders*, Two Pacquet-Boats.
- *Holland*, Three Pacquet-Boats.
- *Ireland*, Three Pacquet-Boats.

And

And at *Deal*, Two Pacquet-Boats for the *Downs*.

All which Officers, Post-Masters, Pacquet-Boats, are maintained at his own proper charge.

And as the Master piece of all those good regulations, established by the present Post Master-General, for the better government of the said Office, he hath annexed and appropriated the Market Towns of *England*, so well to the respective Post-stages, that there is no considerable Market-Town, but hath an easie and certain Conveyance for the Letters thereof to and from the said grand Office, in the due course of the Mailes every Post.

Though the number of Letters missive in *England*, were not at all considerable in our Ancestors days, yet it is now so prodigiously great (since the meanest people have generally learnt to write) that this Office is Farmed for thirty thousand pounds a year.

Note also, that Letters are conveyed with more expedition and less charges, then in any foreign Countrey.

A Letter containing a whole sheet of Paper, is conveyed 80 miles for 1 *d.* 2 sheets 4 *d.* and an ounce of Letters but 5 *d.* and that in so short a time by night as well as by day, that every 24 hours, the Post goes 120 Miles, and in five days, an answer of a Letter may be had from a place 300 Miles distant from the Writer. More-

over if any Gentleman desire to ride Post to any Principal Town of *England*, Post-Horses are always in readiness (taking no Horse without the consent of his owner) which in other Kings Reigns was not duly observed; and onely 3 *d.* is demanded for every English mile, and for every Stage to the Post boy 4 *d.* for conducting.

Besides this excellent convenience of conveying Letters and Men on Horseback, there is of late such an admirable commodiousness both for Men and Women of better rank to travel from *London*, to almost any great Town of *England*, and to almost all the Villages near this great City, that the like hath not been known in the World, and that is by Stage Coaches, wherein one may be transported to any place, sheltred from foul weather and foul ways, free from endamaging ones health, or body by hard jogging, or over violent motion, and this not onely at a low price, as about a shilling for every 5 miles, but with such velocity and speed, as that the Posts in some Forreign Countries make not more Miles in a day: for the Stage Coaches called flying Coaches make Forty or Fifty miles in a day, as from *London* to *Oxford* or *Cambridge*, and that in the space of Twelve hours, not counting the time for Dining, setting forth not too early, and coming in not too late. The Post Office is now kept in *Bishopsgate-street*.

Of the Kings Great Wardrobe.

THis Office was usually kept within the City, near *Puddle Wharfe*; in an antient House built by *Sir John Beauchamp*, Son to *Guy de Beauchamp*, Earl of *Warwick*, and afterward sold to King *Edward* the Third.

The Master or Keeper of the Great Wardrobe is an Officer of great Antiquity and Dignity.

High Priviledges and Immunities were conferred by *Henry* the Sixth, and confirmed by his Successors; King *James* enlarged the same, and ordained that this Great Officer should be an Incorporation or body Politique for ever.

His Office is to make Provisions for Coronations, Marriages, and Funerals, to furnish the Court with Beds, Hangings, Carpets, and other necessaries; to furnish Houses for Ambassadors at their first arrival here; Presents for Foreign Princes and Ambassadors, Cloaths of Estate, and other furniture for the Lord Lieutenant of *Ireland*, Lord President of *Wales*, and all His Majesties Ambassadors abroad; to provide all Robes for Foreign Knights of the Garter, for the Officers of the Garter, Coats for Heralds and Pursuivants at Arms, Robes for the Lord Chancellour, Lord Treasurer,

&c. Rich Liveries for the two Lords Chief Justices, all the Barons of the Exchequer, divers Officers in those Courts: all Liveries for his Majesties domestick Servants, all Linnen for the Kings Person, &c.

To defray all the forementioned charges, ordinarily there is expended yearly, about twenty five thousand pound, besides all Extraordinaries, as Coronations, Funerals, &c.

This Office is at present enjoyed by *Ralph Montague* Esq; Son to the Lord *Montague* of *Boughton*, and one of His Majesties most Honourable Privy Council.

The present Salary to him, in compensation of all other Antient Fees and Allowances, is yearly 1000 *l.*

The said House near *Puddle Wharfe* was long ago annext for ever to the Master of this Office; but since the great Fire this Office is kept in the *Savoy*.

The Chief Officers under the Master are a Deputy, *Thomas Townsend* Senior, Esq; his Salary 100 *l.* and a Clerk, *Thomas Townsend* Junior Esquire, whose Salary in compensation of all Fees and Allowances is yearly 300 *l.*

Both these Officers had likewise fair dwelling houses, which were also consumed by the Fire.

Belonging to this Office are divers Tradesmen, Artificers, and others, to the number of about forty, all sworn Servants to the King.

To

To this Office have lately been added by Patent, during pleasure, two considerable Officers, viz. a Controuler, *Andrew Newport* Esquire, Brother to the Lord *Newport*: and a Surveyour, Colonel *Bullen Reymes*, whose Salaries are 500 *l.* yearly to each one.

Of the Colledges in London.

THe Famous City of *LONDON* may not unfitly be stiled an University, for therein are taught all Liberal Arts and Sciences, not onely Divinity, Civil Law, Physick, which in other Universities are usual, are read here; but also the Municipal or Common Law of the Nation is here taught, and Degrees taken therein, which can be said in no other Nation: Moreover, all sorts of Languages, Geography, Hydrography, the Art of Navigation, the Art of Fortification, Anatomy, Chyrurgery, Chymistry, Calligraphy, Brachygraphy or Short-hand, the Arts of Riding, Fencing, Dancing, Art Military, Fire-works, Limming, Printing, Enameling, Sculpture, Architecture, Heraldry, all sorts of Musick, Arithmetick, Geometry, Astronomy, Grammar, Rhetorick, Poetry, and any other thing that may any way contribute to the accomplishment of an Ingenious Nobleman or Gentleman.

The Colledges of Municipal or Common-Law Professors and Students, are yet called still *Innes*, the old English word for Houses of Noblemen or Bishops, or Men of extraordinary note, and which is of the same signification with the French word *Hostel* at *Paris*.

There are two *Innes* of Sergeants, four *Innes* of Court, and Eight *Innes* of Chancery.

The *Innes* of Chancery were probably so named; because there dwelt such Clerks as did chiefly study the forming of Writs, which regularly appertain to the Curitors that are Officers of Chancery. The first of these is called *Thavies Inn*, begun in the Reign of *Edward* the Third, and since purchased by *Lincolns Inn*, as was also *Furnivals Inn*; then there is *Bernards Inn*, *New Inn*, *Clements Inn*, *Clifords Inn*, anciently the House of the Lord *Clifford*; *Staple Inn*, belonging to the Merchants of the *Staple*; and *Lyons Inn*, anciently a common *Inn*, with the Sign of the *Lyon*.

These were heretofore preparatory Colledges for younger Students, and many were entred here, before admitted into the *Innes of Court*.

Now they are for the most part taken up by Attorneys, Solicitors and Clerks, who have here their Chambers apart, and their Dyet at a very easie rate in a Hall together, where they are obliged to appear in grave long Robes, and black round

round knit Cap. These Colledges belong all to some Inns of Court, who send yearly some of their Barresters to read to these. In each of these Inns of Chancery one with another, may be about sixty persons.

The Inns of Court were so named, as some think, because the Students therein are to serve the Courts of Judicature; or else because anciently these Colledges received only the Sons of Noble Men, and better sort of Gentlemen, as *Fortescue* affirmeth.

Of these there are four: First, The *Two Temples*, heretofore the dwelling of the Knights Templers, and purchased by some Professors of the Common Law, above three hundred years ago. They are called the *Inner* and *Middle Temple*, in relation to *New Temple*, which was a part of the Knights Templers, and called the *Outer Temple*, because it is seated without *Temple Bar*.

The two other Inns of Court, are *Lincolns* Inn, belonging anciently to the Earls of *Lincoln*; and *Greys* Inn, belonging to the Noble Family of the *Greys*.

In the Reign of *Henry* the Sixth, they so flourished, that there were in each of these about two hundred Students, and a Student then expended yearly about 20 *l.* which was as much as Two Hundred pounds now; or they had usually (as the French Nobles have now in their Academies)

mics) every one an old discreet Servant, and divers Masters for to instruct them in all laudable qualities; and therefore, saith the same *Fortescue*, *Ultra Studium legum; sunt quasi Gymnasia omnium morum.* And the Students were onely, saith he, *Nobilium Filii*, that is, Gentlemen, at least, for so the word *Nobilis* was then taken here, and is still in *France*: And therefore by command of King *James*, none were to be admitted into these Colledges, but Gentlemen by descent. Our Ancestors thought those of inferiour rank, would rather debase the Honor of the Law, and would be prone to *chicane*, or play tricks, and not like to be so fit for Trusts and Honors, whereas the consideration of Birth and Fortune, makes Men more careful of their Honor and Reputation.

These Societies are no Corporations, nor have any Judicial power over their Members, but have certain Orders among themselves, which have by consent the Force of Laws: For lighter offences they are only excommoned, or put out of Commons, not to eat with the rest, and for greater offences they lose their Chambers, and are expelled the Colledge; and being once expelled, they are never received by any of the three other Societies. Which deprivation of Honour to young generous Spirits, is more grievous than perhaps deprivation of life.

These also, when they meet at Chappel or Hall, or at Courts of Justice, wear a grave

grave black Robe and Cap, at other times walk with Cloak and Sword.

There are no Lands or Revenues belong to these Societies, which being no Corporations, are not enabled to purchase, or have they any thing for defraying the Charges of the House, but what is paid at Admittances, and Quit-Rents for their Chambers.

The whole Company of Gentlemen in each Society, may be divided in to Four parts, *Benchers*, *Utter Barristers*, *Lanct Barristers* and *Students*.

Benchers are the Seniors, to whom is committed the Government, and ordering of the whole House; and out of these, is chosen yearly a Treasurer, who receiveth, disburseth, and accounteth for all Moneys belonging to the House.

Utter Barristers are such, as For their Learning and Standing, are called by the Benchers to plead and argue in the Society doubtful Cases and Questions, which are called *Moots* (from meeting the old *Saxon* word for the *French Assemble*, or else from the *French Mot* a word.) And whilest they argue the said Cases, they sit uncovered on the Formes or Benches, which they call the Bar.

Out of these Moorers are chosen Readers for the *Inns of Chancery*, belonging to the *Inns of Court*, whereof they are Members; where in Term-time, and Grand Vacations they argue Cases in the presence of Attorneys and Clerks

All

All the rest are accounted Inner-Barristers, who, for want of Learning or Time, are not to argue in these Moots; and yet in a Moot before the Benchers, two of these Inner Barristers sitting on the same Form with the Utter-Barristers, do, for their Exercises, recite by heart the pleading of the same Moot-Case; in *Law-French*; which Pleading is the Declaration at large, of the said Moot Case, the one taking the part of the Plaintiff, and the other of the Defendant.

The year also amongst them, is divided into three parts, the *Learning Vacation*, the *Term-times*, and the *Dead* or *Mean Vacation*.

They have two *Learning Vacations*, viz. *Lent-Vacation*, which begins the first *Monday* in *Lent*, and continueth three weeks and three days; and *Summer-Vacation*, which begins *Monday* after *Lammas-day*, and continueth also three weeks and three days. In these Vacations are the greatest Conference and Exercises of Study in manner following:

The Benchers appoint the Eldest Utter-Barrister to read unto them openly in the Hall, whereof he hath notice half a year before. He then, the first day, about eight of the clock, makes choice of some Act or Statute; whereupon he grounds his whole Reading for that Vacation, and declares such mischiefs and inconveniencies as were unprovided before the same Act, and

and now are provided by the said Act, and then reciteth certain doubts and Questions, which he hath devised, that may grow upon the said Statute, and declareth his Judgment therein: After which, one of the younger Utter-Barresters repeateth one Question propounded by the Reader, and doth by way of Argument labour to prove the Readers Opinion to be against Law; and after him, the Senior Utter-Barrester and Readers, one after another, according to Seniority, do declare their Opinions and Judgments in the same: And then the Reader, who did put the Case, endeavoureth to confute Objections laid against him, and to confirm his own opinion: After which, the Judges and Sergeants, if any be present, declare their Opinions; then the youngest Utter-barrester again rehearseth another Case, which is prosecuted as the former was. And this Exercise continueth daily about three or four hours.

Out of those who have read once in the *Summer-Vacation*, and are Benchers, is chosen always one to Read in *Lent*, who observes the like manner of Reading, as before is expressed.

Out of these Readers usually the Sergeants are chosen.

The

The manner of Mooting in the Inns of Court, is thus:

IN these Vacations, after Supper, in the Hall, or after Drinking on Fasting-nights, the Reader with one or two of the Benchers comes in, to whom one of the Utter-Barresters propounds some doubtful Case; which being argued by the Benchers, and lastly, by him that moved the Case; the Benchers sit down on the Bench, at the upper end of the Hall, whence they are called *Benchers*: And upon a Form, in the middle of the Hall, sit two Inner Barresters; and on both sides of them, on the same Form, sitteth one Inner Barrester, who doth in *Law French* declare to the Benchers (as Sergeants do at the Bar in the Kings Court to the Judges) some kind of Action; the one being, as it were, retained for the Plaintiff, and the other for the Defendant. Which ended, the two Utter Barresters argue such Questions, as be disputable within the Case. After which, the Benchers do likewise declare their Opinions, how they take the Law to be in those Questions.

In these Mootings, the Junior always argueth first, as is used among the Judges in the *Exchequer Chamber*, and amongst the Sergeants in open Courts of Judicature. The Inner and Utter Barristers plead here

here in *Law French*, and the Benchers in *English*; and at the Readings the Readers Cases are put in *English*.

Mootings in the Inns of Chancery, are thus:

IN the Learning Vacations, each Utter-Barrester, who is a Reader in the Inns of *Chancery*, go with two Students of the same Inn of Court, to the Inn of *Chancery*, where he is appointed to Read, and there meet him commonly two of each Inns of Court, who sitting as the Benchers do in the Inns of Court at their Moots, they hear and argue his Case.

In the Four Inns of *Chancery* that are situated in *Holborn*, the Moots are read, either by those of *Grays-Inn*, or *Lincolns-Inn*; the others by those of the two Temples.

In Term-time, the onely Exercises of Learning, is arguing and debating Cases after Dinner, and Mooting after Supper, in the same manner as in the Vacation-time.

The time between the Learning Vacations and Terms, is called the Mean Vacation, during which time, every day after dinner, Cases are argued as at other times; and after Supper, Moots are brought in and pleaded by the Inner-Barresters, in the presence of the Utter-Barrester, which sit there

there in the Room of the Benchers, and argued by them, as the Benchers do in *Term-time*, and *Learning-Vacation*.

The Manner of Keeping a Christmas in any of the Innes of Court, thus,

THe Students hold a Parliament before *Christmas*, and in case there be in *London* no Pestilence, and that the House is furnished with such a number of Students, and of such quality as are meet to keep a solemn *Christmass*; then are chosen and appointed certain of the Students to be Officers, in imitation of the Kings Court; as Comptroller of the *Inner Temple* (an Office lately performed with much splendor and reputation by *Thomas Walker* Esquire) so of the *Middle Temple*, styled Lieutenant of the *Tower*, and Treasurer, &c. These bear rule in the House during the whole time of *Christmas*; and are to behave themselves in that Port, Gravity, and Authority, as if they were so in the Kings House, that so hereafter they may know the better to behave themselves, in case they shou'd be promoted to that Honour: for these Gentlemen are usually of such quality, as come not hither with intent to profess the Law, but to learn so much

much Law, as may be necessary to preserve their Estates, and to make themselves accomplisht in other qualities, necessary for Gentlemen.

At such time, they have here divers divertisements, as Feasting every day, Singing, Dancing, Musick, Dicing, which last is allowed there to all Comers, and is so excessive, that what the Dicers allow out of each winning to the Butler's Box, usually amounts to above 50 *l.* a day and night, wherewith, and a small Contribution from each Student, are the great charges of the whole *Christmas* defrayed.

Sometimes, when their Publick Treasury is great, they create a Prince among themselves, with such Title as they please to give him, and he hath all his Officers, and a Court suitable to a great Prince, and many of the Prime Nobility and great Officers of State, are feasted and entertained by him with Interludes, *&c.* as was late done at *Lincolns-Inn*, with very much Magnificence, by *Sir John Lot*, by the Title of *Prince de la Grange*.

From *All-Saints day* to *Candlemas*, each House usually hath Revels on Holy-days, that is, Musick and Dancing; and for this is chosen some young Student to be Master of the Revels.

Note, That the manner of their Parliament is briefly thus;

Every Quarter commonly, the Benchers cause one of the standing Officers of the House

House to summon a Parliament, which is onely an Assembly and Conference of Benchers and Utter-Barresters, which are called the Sage Company, and meet in a place called the Parliament-Chamber, and there Treat of such matters, as shall seem expedient for the good ordering of the House, and the Reformation of such things as they shall judge meet to be reformed. Here are the Readers for *Lent* and *Summer-Vacation* elected; also the Treasurer is here chosen, and the Auditors appointed to take the Accounts of the Old Treasurer, *&c.* Here Offences committed by any of the Society are punished, *&c.*

These Inns of Court are most wisely situated by our Ancestors, between the Kings Courts of Judicature, and the most Opulent City of *London*.

In the Four Inns of Court are reckoned about 800 Students.

Lastly, there are two more Colledges called *Sergeants-Inn*, where the Common-Law Student, when he is arrived to the highest Degree, hath his Lodging and Dyet. These are called *Servientes ad Legem*, Sergeants at Law, and are as Doctors in the Civil Law; onely these have heretofore been reputed more Noble and Honourable. *Dubitis enim appellatio est Magisterii, Servientis vero Ministerii:* And therefore Doctors of Law are allowed to sit within the Bar in Chairs, and covered; whilst Sergeants stand without the Bar bare-headed, onely with Coif or Caps on.

To arrive to this high Degree, take this brief account.

The young Student in the *Common Law*, being born of a Gentile Stock, and bred two or three years in the University, and there chiefly versed in Logick and Rhetorick, both expedient for a Lawyer, and gotten some insight into the *Civil Law*, and some skill in the *French Tongue*, as well as *Latine*, he is admitted to be one of the Four Inns of Court, where he is first called a Moot-man, and after about Seven years study, is chosen an Utter-Barrister; and having then spent Twelve years more, and performed the Exercises before mentioned, he is chosen a Bencher, and some time after a Reader: During the Reading, which heretofore was Three weeks and three days, as afore-mentioned, the Reader keeps a constant and sumptuous Feasting, inviting the Chief Nobles, Judges, Bishops, Great Officers of the Kingdom, and sometimes the King himself, that it costs them sometimes 800 or 1000 *l.* Afterward he wears a Long Robe, different from other Barristers, and is then in a capacity to be made a Sergeant at Law, when His Majesty shall be pleased to call him, which is in this manner.

When the number of Sergeants is small, the Lord Chief Justice of the *Common-Pleas*, by the advice and consent of the other

other Judges, makes choice of Six or Eight more or less of the most Grave and Learned of the *Inns of Court*, and presents their Names to the Lord Chancellor or Lord Keeper, who sends, by the Kings Writ, to each of them, to appear on such a day before the King, to receive the State and Degree of a Sergeant at Law; at the appointed time, they being habited in Robes of two colours, viz. Brown and Blew, come accompanied with the Students of the *Inns of Court*, and attended by a Train of Servants and Retainers, in certain peculiar Cloth Liveries, to *Westminster-Hall*, there in publick take a Solemn Oath, and are clothed with certain Robes and Coyfs, without which, they may no more be seen in publick; after this, they Feast the Great Persons of the Nation, in a very magnificent and Princely manner, give Gold-Rings to the Princes of the Blood, Archbishops, Chancellor and Treasurer, to the value of Fourty shillings each Ring: to Earls, Bishops, Rings of Twenty shillings: to other great Officers, to Barons, Great Prelates, &c. Rings of less value.

Out of these are chosen all the Judges of the *Kings-Bench* and *Common-Pleas*; wherefore all those Judges do always wear the White Linen Coyf, which is the Principal Badge of a Sergeant, and which he had ever the Priviledge to wear at all times, even in the Kings presence, and whilst he spake to the King, though anciently it was not permitted to any Subject to

to be so much as capped in the presence of the King of *England*, as at present it is not allowed in the presence of the Pope, or of the Emperour.

When any of the afore-mentioned Judges are wanting, the King, by the advice of His Council, makes choice of one of these Sergeants at Law, to supply his place, and constitutes him by Letters Patents, Sealed by the Chancellor, who sitting in the middle of the rest of the Judges, in open Court, by a set Speech, declares to the Sergeant (that upon this occasion is brought in) the Kings pleasure, and to the People the Kings goodness, in providing the Bench with such able, honest men, as that Justice may be done exactly and impartially to all His Subjects, and then causes the said Letters Patents to be read; and being departed, the Chief Justice places the said Sergeant on the Bench, *Junior* of all the rest; and having taken his Oath, well and truly to serve the King and His People in the Office of Justice, to take no reward, to do equal and speedy Justice to all, &c. he sets himself to the Execution of his Charge.

The Sergeant being thus advanced to be a Judge, hath thereby great Honour, and a very considerable Salary, besides certain Perquisites; for each one hath at least a Thousand pound a year from the King: And now in some things, his former habit of a Sergeant is altered, his long Robe and Cap, his Hood and Coif are the same, but there is besides, a Cloak

put

put over him, and closed on his right shoulder; and in stead of a *Caputium* lined with Lamb-skin, now a *Caputium* lined with *Minever*, or *de Minuto varia*, divers small pieces of white rich Furre; onely the two Lord Chief Justices, and the Lord Chief Baron, have their Hoods, Sleeves, and Collars turned up with Ermine.

Note, *That to the two Sergeants Inns belong the Twelve Judges, and about Twenty six Sergeants.*

Antiently, the Fee expected by a Sergeant from his Client, for Advice given at his Chamber, or for pleading in any Court of Judicature, was no more then Twenty shillings, and the Fee of a Barrister Ten shillings; (which yet is much more then is usually given in any of our Neighbour-Nations at this day) but at present, it is become almost ordinary, to give some Sergeants Ten pound, and sometimes Twenty pound, and to a Barrister half as much, at the hearing of any considerable Cause; whereby it comes to pass, that some Lawyers in one year gain in Fees Three thousand pounds, and some Four thousand pounds; and in few years purchase Estates fit for Lords, and sometimes live to see themselves advanced to be Peers of the Realm, as the late Lord Keepers, *Coventry*, *Finch*, and others.

Now all these fore-mentioned Inns, or Colledges, for the Students in our *Common Law*, being not far distant one from another, do make the most famous Profession

feſſion of the Law that is in the World, and it will be a very difficult thing to find in any one Foreign *Univerſity*, ſo many Students of the Law that are of that ripe age paſt *Childhood*, and of that high quality, moſt Gentlemen, and a conſiderable number of the Sons of the higher Nobility.

Of the Colledge of Civilians, called Doctors Commons.

ALthough Degrees in the *Civil Law* may be held onely in *Oxford* and *Cambridge*, and the Theory beſt there to be acquired; yet the practice thereof is moſt of all in *London*, where a Colledge was long ſince purchaſed by Dr. *Henry Harvey*, Dean of the Arches, for the Profeſſors of the Civil Law in this City; and where commonly did reſide the Judge of the Arches, the Judge of the Admiralty, and the Judge of the *Prerogative Court*, with divers other eminent *Civilians*, who there living (for Diet and Lodging) in a *Collegiate* manner, and Commoning together, it was uſually known by the name of of *Doctors Commons*, and ſtood neat St. *Pauls*, in the Pariſh of St. *Bennets Pauls-Wharff*; which Buildings being utterly conſumed by the late Dreadful Fire, they all

resided at *Exeter-House* in the *Strand*, and are lately returned to their former place fairly rebuilt, at the proper Costs and Charges of the said Doctors, where they now keep their several Court and Pleadings every Term, which begins and ends almost at the same time with the Term at *Westminster*.

The Chief Court of the Archbishop, is that of the *Arches*, whereof see more in the Chapter of the *Ecclesiastical Government* of *England*.

The Official, Principal of the same, and Judge of this Court, is stiled Dean of the *Arches*, and is at present Sir *Robert Wiseman*, Doctor of Laws; who is now Vicar General to the Archbishop of *Canterbury*.

He sitteth alone without any Assessors, and heareth and determineth all Causes, without any Jury of Twelve Men, as is necessary in Common Law Courts.

The Office of the Actuary is to attend the Court, set down the Judges Decrees, Register the Acts of the Court, and send them in Books to the Registry. This Office is enjoyed by *Robert Thompson* Doctor of Laws and Publick Notary.

To this Court belongeth an Actuary, a Register, and a Beadle.

The Register of the Court is *John Clements*, whose Office is by himself, or Deputy to attend the Court, receive all Libels or Bills, Allegations, and exhibits, Examines all Witnesse, Files all

all Sentences, and keeps the Records of the Court.

The Beadle attends the Court, carrieth a Mace before the Judge, and calls the Persons cited to appear.

Those that are allowed to be Advocates, and plead in this Court, are all to be Doctors of the *Civil Law*, in one of the *Universities* of *England*; who upon their Petition to the Archbishop of *Canterbury*, and his *Fiat* obtained, are admitted by the Judge of this Court, upon condition not to practice for one whole year, after such admittance.

The manner of their Admittance is thus, The Two Senior Advocates in their Scarlet Robes, with the Mace before them conduct him up to the Court, with three low Reverences, and present him with a short Latine Speech, and the Rescript of the Archbishop: Then the Oaths of Allegiance, Supremacy, and some other prescribed in the Statute of the Arches, being taken, he is admitted by the Judge, and a Place or Seat in the Court assigned unto him, either a *Dextris* or *Sinistris*, which he is alwayes to keep when he pleads.

The Judge, and all the Advocates in this Court, alwayes wear their Scarlet Robes, with Hoods lined with Taffata, if they be of *Oxford*; or White Miniver Fur, if of *Cambridge*; and all round, Black Velvet-Caps, and the Proctors wear or ought to wear Hoods lined with Lamb-skin, if not Graduats, but if Graduats, Hoods according to the Degree. N 2 *Have*

Here followeth a Catalogue of the Names of all the Advocates, *according to Seniority, not Precedence.*

DOctor *Martin.*
Dr. King, Chancelor of *Ely.*
Dr. *Pepys.*
Dr. *Mills* Chancellour of *Norwich.*
Dr. *Cruſie*, Chancellor of St. *Davids.*
Dr. *Baldwin*, Kt. Maſter of *Chancery*, and Chancellor of *Worceſter* and *Hereford.*
Dr. *Nicholſon*, Chancellour of *Gloceſter.*
Dr *Lowen.*
Dr. *Wake*, Chancellour of *Peterborough.*
Dr. *Watkinſon.*
Dr. *Birkenhead*, Knight Maſter of *Requeſt*, and Maſter of the *Faculties.*
Dr. *Warren.*
Dr. *Bird*, Commiſſary of *Huntingdon.*
Dr. *Aldworth*, Chancellor of *Oxford.*
Dr. *Exton*, Chancellor of *London.*
Dr. *Hughes.*
Dr. *Lloyd*, Commiſſary of *Weſtminſter*, and Chancellor of *Landaffe.*
Dr. *Boucher*, Profeſſor of *Oxford.*
Dr. *Maſters*, Chancellor of *Exeter.*
Dr. *Clark*, Profeſſor of Law in *Cambridge.*
Dr. *Leighton*, Kt.

Dr.

Dr. Digby.
Dr. Low, Master of *Chancery*, and Chancellor of *Salisbury.*
Dr. Trumbal, Chancellor of *Rochester.*
Dr. Falconbridge.
Dr. Pinfold, Official of the Archdeacon of *London.*
Dr. Raims.
Dr. Briggs, Chancellor of *Chichester.*
Dr. Oldys.
Dr. Perret.
Dr. Harrison.
Dr. Thompson.
Dr. Foster.
Dr. Edmbury.

There are divers other Civilians, whereof some, not Advocates of this Court, are Chancellors to Bishops, or Commissaries; as,

Sir *Mundiford Bramstone* Knight, Doctor of Laws, and Chancellor of *Winchester.*
Dr. Burrel, Chancellor of *York* and *Durham.*
Sir *Edward Lake* Knight, Doctor of Laws, and Chancellor of *Lincoln.*
Dr. Dean, Chancellor of *Bath* and *Wells.*
Dr. Wainwright, Chancellor of *Chester.*
Dr. Jones, Chancellor of *Bristol.*
Chancellor of *Carlisle*, *Rowland Nicols*, B. *D.*
Dr. Pennington, Chancellor of *Bangor.*
Dr. Powell, Chancellour of St. *Asaph.*

Here note, That before the Vicar-General or Chancellours of the Bishops, are Tryable all Ecclesiastical Causes within their respective Dioceſſes, except Letters of Requeſt are granted by the Dioceſan Bishop or Ordinary of the place, to the Party, to ſue in the Court of Arches, which is ordinary.

Note alſo, That the Vicars-Generals and Chancellours, are appointed by the reſpective Archbiſhops and Biſhops, by Letters Patents under their Seals, and confirmed by the Dean and Chapter of the reſpective Cathedrals.

The Proctors belonging to this Court afore-mentioned, are perſons that exhibite their Proxies for their Clients, and make themſelves parties for them, and draw and give in Pleas or Libels and Allegations, in the behalf of their Clients, produce the Witneſſes, prepare the Cauſes for Sentence, and attend the Advocates with the Proceedings.

A Liſt of the Proctors.

M*Vndy.*
Franclin, Kings Proctor.
Thompſon.
Taylor.
Arnold, Batchelor of Laws.

Swal-

Swallow,
Dyer, Batchelor of Laws.
Suckley.
Exton, Batchelor of Laws.
Smith.
Colquitt.
Rock.
Tucker.
Cole.
Hill.
Addington.
Horne.
Smith Junior.
Newman.
Burt.
Nixon.
Chapman.
Tillat.
Swallow Junior.

They are also admitted by the *Fiat* of the Archbishop, introduced by the Two Senior Proctors, and are allowed to practice immediately after their admission; they wear Black Robes and Hoods lined with White Fur, taking the Oaths of Allegeance and Supremacy, &c.

According to the Statutes of this Court, all Arguments made by Advocates, and all Petitions made by the Proctors, are to be in the Latine Tongue.

All Process of this Court, run in the Name of the Judge, thus, *Robertus Wyseman Miles, LL. Dr. Almæ Curiæ Cant. de*

Arcubus Land. Officialis Principalis; and returnable before him heretofore in *Bow-Church*, now in the *Common-Hall* at *Doctors-Commons*.

The Places and Offices belonging to this Court, are all in the gift of the Archbishop of *Canterbury*, whose Court it is.

Here note, That the next morning after the sitting of this Court, the Judge of the Court of Audience did usually sit, but since the late Troubles, that Court hath been discontinued.

Next is the Court of *Admiralty*, whereof see more in Chapter of the *Military Government*.

The present Judge of this Court is Sir *Leolin Jenkins* Knight, Doctor of Laws, whose Title is *Supremæ Curiæ Admiralitatis Angliæ locum tenens Judex sive Præsidens*. The Writs and Decrees run in the Name of the Lord High Admiral, and are directed to all Vice-Admirals, Justices of Peace, Mayors, Sheriffs, Bailiffs, Constables, Marshals, and others, Officers and Ministers of our Soveraign Lord the King, as well within Liberties, as without.

To this Court belongs a Register, *Orlando Gee*, Esquire; a Marshal, who attends the Court, and carries a Silver Oar before the Judge, whereon are the Arms of the King, and the Lord High Admiral.

The

The Lord Admiral hath here his Advocate and Proctor, and all other Advocates and Proctors are presented by them, and admitted by the Judge.

This Court is held on the same day with the Arches, but in the afternoon, and heretofore at *St. Margarets-Hill* in *Southwark*; but now in the same Common-Hall at *Doctors Commons*. But the Admiralty Session is still held, for the Tryal of Malefactors, and Crimes committed at Sea, at the antient place aforesaid.

The Places and Offices belonging to this Court, are in the Gift of the Lord High Admiral.

Next, is another Court belonging to the Archbishop of *Canterbury*, called the *Prerogative Court*, whereof see more in the Chapter of the *Ecclesiastical Government* of *England*.

The Judge of this Court is the fore-named Sir *Leolin Jenkins*, and his Title here is, *Curiæ Prærogativæ Cant. Magister, Custos, seu Commissarius*.

All Citations and Decrees run in the Name of the Archbishop.

This Court is kept in the same Common-Hall in the Afternoon, next day after the Arches, and was heretofore held in the Consistory of *St. Pauls*.

The Judge is attended by a Register, *Marks Castle* Esquire, who sets down the Decrees, and Acts of the Court, and keeps the Records, all Original Wills and Testaments of parties dying, having Bona

Notabilia, &c. The place is commonly called the *Prerogative Office*, now kept in the *Deans Court* near St. *Pauls Churchyard*, where for a moderate Fee, one may search for, and have a Copy of any such Testament made since the Rebellion of *Wat Tyler* and *Jack Straw*, by whom many Records and Writings, in several places of *London*, were then burnt and destroyed.

The Pleas belonging to this Court are the Gift of the Archbishop of *Canterbury*.

From the fore-mentioned Courts, Appeals do lie to the Court of Delegates, whereof more *pag.* 172 the Judges whereof are appointed by the Lord Chancellour under the Great Seal of *England*, *pro illa vice*, and upon every cause or business there is a new Commission, and new Judges, according to the nature of the Affair or Cause, as sometimes Bishops, Common-Law-Judges, Noblemen, Knights, and Civilians, sometimes Bishops and Civilians, and sometimes Common-Law-Judges and Civilians, and sometimes Civilians onely.

To this Court belongs a standing Register, and the Court is kept in the same Common-Hall, in the afternoon, the day after the *Prerogative*.

The Citations and Decrees here run in the Kings Name.

From this Court lies no Appeal in Common course.

But the King of His meer Prerogative Royal may, and many times doth grant a Com-

Commission of *Review*, under the Broad-Seal.

In this *Colledge* also usually resides the Vicar-General, belonging to the Archbishop of *Canterbury*, who, as he is a Primate, hath the Guardianship of the Spiritualities of every Bishop within his Province during the Vacancy, and executes all Episcopal Power and Jurisdiction by his Vicar-General, who is at present in the Province of *Canterbury*, Sir *Richard Chaworth* Kt. Dr. of Laws.

The Archbishop of *York* hath the like Power in his Province, and his Vicar-General is Dr. *Burnel*, he hath also a Prerogative Court, whereof the Judge is Dr. *Lewis*.

Of the Colledge of Physitians in London.

AMongst other excellent Institutions in the City of *London*, there is a Colledge or Corporation of Physitians, who by Charters and Acts of Parliament of *Henry* VIII. and since his Reign, have certain Priviledges, whereby no Man, though a Graduate in Physick of *Oxford* or *Cambridge*, may without Licence under the said Colledge Seal, practice Physick in *London*, or within seven miles of this City, (nor in any other part of *England*, in case he hath not taken any Degree in *Oxford* or *Cambridge*.)

Whereby

Whereby also they can administer an Oath, fine and imprison any Offenders, in that and divers other particulars, can make By-Laws, purchase Lands, &c. Whereby they have Authority to search all the Shops of Apothecaries in and about *London*, to see if their Drugs and Compositions are wholsome, and well made; whereby they are freed from all troublesome Offices, as to serve upon Juries, to be Constable, to keep watch and ward, to bear Arms, or provide Arms or Ammunition, &c. any Member of that Colledge may practise Surgery if he please, not only in *London*, but in any part of *England*.

This Society had anciently a Colledge in *Knight-Rider-street*, the Gift of Doctor *Linacre*, Physician to King *Henry* the VIII. since which, a House and Ground was purchased by the Society of Physicians, at the end of *Amen street*, whereon the ever famous Doctor *Harvey*, *Anno* 1653. did erect at his own proper charge a Magnificent Structure, both for a Library and a Publik Hall, for the Meeting of the several Members of this Society, endowed the same with his whole Inheritance, which he resigned up, while he was yet living, and in health, part of which he assigned for an Anniversary Harangue, to commemorate all their Benefactors, to exhort others to follow their good Examples, and to provide a pleasful Dinner for the worthy Company.

Anno 1666. This goodly Edifice could not escape the Fury of that Dreadful Fire, and

and that ground being but a Lease, the present Fellows of this College have purchased with the crown Moneys a fair piece of ground in *Warwick-Lane*, whereon they are now raising a very magnificent Edifice.

Of this College there is a President, Four Censors, and Eight Elects, who are all principal Members of the Society, and out of whom, one is chosen every year, to preside.

The Four Censors of the College have, by their Charter, authority to survey, correct, and govern all Physicians or others, that shall practise in *London*, or within seven miles of the same; to fine, imprison and imprison any offender, as they shall see cause.

Here followeth a List of all the Principal Physicians, who now Practise in London.

Socii Colleg. Med. Lond.

Sir George Ent, President.
Henry Lord Marquis of *Dorchester*.
Dr. *Baldwin Hamey*.
Dr. *Francis Glisson*.
Dr. *Peter Salmon*.
Dr. *William Simms*, Register.
Sir Alexander Irvin, M. Reg. Prim.
Dr. *John Micklethwait*, Treasurer.
Dr. *Needham*, Paper.
Dr. *Jonathan Goddard*, Censor.
Dr. *John Kent*.

Dr. Tho-

Dr. *Thomas Cox.*
Dr. *Daniel Whistler*, Censor.
Sir *Charles Scarborough*, Med. Reg.
Dr. *Thomas Wharton.*
Dr. *Christopher Merrett.*
Dr. *Samuel Collins* Sen.
Dr. *Lutz Rugeley.*
Sir *William Petty.*
Dr. *Christopher Terne.*
Sir *John Baber*, Med. Reg.
Sir *Edward Greaves.*
Dr. *Thomas Creyden*, Censor.
Dr. *Thomas Woolfe.*
Dr. *Martin Llwelyn.*
Sir *John Finch.*
Sir *Thomas Bants.*
Dr. *Robert Waller.*
Dr. *Thomas Burwell.*
Dr. *George Rogers.*
Dr. *Walter Mills.*
Dr. *Zuriſhaddi Lang.*
Dr. *John Betts.*
Dr. *John Twiſden.*
Dr. *Thomas Waldron.*
Dr. *Peter Barwick.*
Dr. *Arthur Dacres*, Censor.
Dr. *Samuel Collins*, Jun.
Dr. *Gaſper Needham.*
Dr. *Henry Clerke.*
Dr. *John Carre.*
Dr. *John Packer.*
Dr. *Thomas Allen.*
Dr. *Nathaniel Hodges.*
Dr. *Thomas Millington.*
Dr. *John Smith.*

Candidates

Candidates.

Dr. John Wyberd.
Dr. Thomas Beare.
Dr. Theophilus Garencieres.
Dr. Robert Strachey.
Dr. Terbury.
Dr. William Parker.
Dr. John Lawson.
Dr. Elisha Coysh.
Dr. Humphrey Brooks.
Dr. George Smith.
Sir Thomas Bathurst.
Dr. John Atfield.
Dr. John Downs.
Dr. Richard Trevor.
Dr. William Croone.
Dr. Edward Browne.
Dr. Thomas Burwell.
Dr. Thomas Short.
Dr. William Marshal.
Dr. Josias Clarke.
Dr. John Charles.
Dr. Jameson.
Dr. Peter Gerrard.
Dr. Morrice.
Dr. Richard Lower.
Dr. Thomas Franckland.
Dr. Richard Torlesse.

Honorary Fellows.

Dr. William Parker.
Dr. Aaron Gourden.

Dr.

Dr. *William Denton.*
Sir *John Colladon.*
Dr. *Edmund Meare.*
Dr. *Nicholas Lamprier.*
Dr. *Matthew Bacon.*
Sr *Richard Napier.*
Sir *John Hinton.*
Sir *Joseph Colfton.*
Dr. *Walter Charleton.*
Dr. *Edward D'Auntry.*
Dr. *Theodore Deodate.*
Dr. *William Fegart.*
Dr. *William Harvey.*
Dr. *John Stinner.*
Dr. *Thomas Timme.*
Dr. *Edward Warner.*
Dr. *Richard Harris.*
Dr. *Samuel Argall.*
Dr. *Thomas Arris.*
Sir *William Langham.*
Dr. *Owen Meverell.*
Dr. *Robert Feilding.*
Sir *Theodore de Vaux.*
Dr. *Thomas Witherley.*
Dr. *Henry Tichbourne.*
Dr. *Samuel Woodcock.*
Dr. *Thomas King.*
Dr. *Arthur Taylor.*
Dr. *William Bright.*
Dr. *Thomas Moore.*
Dr. *James Cornelius.*
Dr. *William Waldgrave.*
Dr. *John Clarke.*
Dr. *Nicholas Stanley.*
Dr. *Edward Duke.*
Dr. *Thomas Willis.*

Dr.

Dr. *Peter Ball.*
Dr. *John Fisher.*
Dr. *Lancelot Harrison.*
Dr. *Nicholas Barbor.*
Dr. *Richard Griffith.*
Dr. *Walter Needham.*
Dr. *Thomas Trapham.*
Dr. *John Christopher Matson.*
Dr. *Nicholas Carter.*
Sir *Thomas Browne.*
Dr. *Henry Gissen.*
Dr. *Thomas Lawrence.*
Dr. *Dennis Gourden.*
Dr. *Henry Poyman.*
Dr. *Henry Cavendish.*
Dr. *Robert Bidgood.*
Dr. *Edmund Dickenson.*
Dr. *John Yardley.*
Dr. *Robert Grey.*
Dr. *Sagitary.*
Dr. *White.*
Dr. *Waterhouse.*

Licentiates.

Dr. *Widderburn.*
Mr. *Prist.*
Mr. *Lenthal.*
Dr. *Barrough.*
Dr. *Brown.*
Mr. *Welman.*
Mr. *Sydenham*, B. M.
Dr. *Wrench.*

Anti-

Anciently, the usual Fee of a Doctor was 20 *s.* and one that had not taken that degree 10 *s.* at present there is no certain rule: but some that are eminent, have received in Fees yearly two or three thousand pounds, and purchased great Estates; which in other Countreys is very rare.

Besides the worthy Persons mentioned in the List above, there are divers Physicians that have good practise in *London*, although they never had any Licence, which is connived at by the Colledge; and so is the too much practise of *Empericks*, *Mountebanks*, *pretended Chymists*, *Apothecaries*, *Chyrurgeons*, *Wise-women*, *&c.* In which piece of folly, the English surpass all the Nations of Christendom.

And yet, by the Law of *England*, if one who is no Physician or Chyrurgeon, or not expressly allowed to practise, shall take upon him a Cure, and his Patient die under his hands; this is Felony in the person presuming so to do.

Of the Colledge of Heralds.

NOt far from the Colledge of *Doctors Commons*, stood the Colledge of *Heralds*, (that is, of such as are to be Messengers of War and Peace, that are skilful in Descents, Pedigrees, and Coats of Armories) an antient House, built by *Thomas Stanley*, Earl of *Derby*, who married

ried the Mother of King *Henry* the Seventh, and beſtowed by Queen *Mary* on the Kings Heralds, and Purſuivants at Arms for ever, to the end that they, and their Succeſſors, might dwell together (if they ſo pleaſed) and aſſemble, confer, and agree for the good Government of their Faculty; and that their Records might there ſafely be preſerved, *&c.*

They were made a Colledge or Corporation, by Charter of King *Richard* the Third, and by him had ſeveral Priviledges granted unto them; as, to be free from Subſidies, Tolls, and all troubleſome Offices of the Kingdom.

Afterwards, another Charter of Priviledges was granted unto this Society by King *Edward* the Sixth, in the third year of his Reign.

Of this Collegiate Society are firſt, three, ſtyled *Reges Armorum Anglorum*, Kings at Arms, ſix called *Heralds*, and four Purſuivants at Arms.

Amongſt the Kings at Arms, the firſt and principal is called *Garter*, inſtituted by King *Henry* the Fifth, whoſe Office is to attend the Knights of the Garter at their Solemnities, and to Marſhal the Solemnities at the Funerals of all the Higher Nobility of *England*; to advertiſe thoſe that are choſen of their new Election, to call on them to be Inſtalled at *Windſor*, to cauſe their Arms to be hung up upon their Seats there, to carry the Garter to Kings and Princes beyond the Seas; for which purpoſe,

purpose he was wont to be joyned in Commission with some Principal Peer of the Realm, &c.

The next is *Clarencieux*, so called from the Duke of *Clarence*, to whom he first belonged; for *Lionel*, Third Son to *Edward* the Third, marrying the Daughter and Heir of the Earl of *Ulster* in *Ireland*, had with her the Honour of *Clare* in the County of *Tumond*; whereupon he was afterwards created Duke of *Clarence*, or the Territory about *Clare*; which Dukedom escheating to King *Edward* 4. by the death of his Brother *George* Duke of *Clarence*, he made this Herald, who properly belonged to that Duke, a King at Arms, and named him *Clarencieux* in *French*, and *Clarentius* in Latin. His Office is to marshal and dispose the Funerals of all the lower Nobility, as Baronets, Knights, Esquires, and Gentlemen on the South-side of *Trent*, and therefore sometimes called *Surroy*, or *Southroy*.

The Third King at Arms is *Norroy*, or *Northroy*, whose Office is to do the like on all the North-side of *Trent*.

The two last are called *Provincial Heralds*, *England* being by them divided into two Provinces.

These by Charter have power to visit Noblemens Families, to set down their Pedigrees, to distinguish their Arms, to appoint Men their Arms or Ensigns, and, with *Garter*, to direct the *Heralds*.

The Six Heralds antiently belonging properly to Dukes, have been sometimes named

named *Dukes at Arms*, and are thus called and ranked: First, *Windsor*; Secondly, *Richmund*; Thirdly, *Chester*; Fourthly, *Somerset*; Fifthly, *York*, Sixthly, *Lancaster*. Whose Office was anciently to attend Dukes in Marshal Executions: Now they are to wait at Court, attend Publick Solemnities, Proclaim War and Peace, *&c.* thence perhaps named *Heralds*, from two *German* words, *Here* and *Healt*, that is, the *Armies Champion*, to denounce War, or offer Peace; as the *Fetiales* of the *Romans* did: and from hence probably Seven *Danish* Kings, and some Kings of *Norway*, and of *Sweden*, and some of *England*, before the Conquest, have had the name of *Harold*, which is all one (saith *Verstegan*) with *Herald*.

These have no certain Province under them, but by turns wait upon the Kings at Arms, and have part of their Fees.

Of these Heralds in *England* there were anciently many, & so likewise of Pursuivants, whereof at present there are but four, thus named, *Rouge-Croix*, *Rouge-Dragon*, *Portcullice*, and *Blewmantle*; from such Badges heretofore worn by them, as it is thought.

The service of these, and of the Heralds, and of the whole College, is used in Marshalling and Ordering Coronations, Marriages, Christenings, Funerals, Interviews, Feasts of Kings and Princes, Cavalcades, Shews, Juits, Tournaments, Combats before the Constable and Marshal, *&c.* Also they take care of the Coats of Arms, of the Genealogies of the

the Nobility and Gentry; briefly, whatsoever concerns Honour is their care and study; they are *Tanquam Sacrorum Custodes & Templi Honoris Aditui.*

All these receive Annual Stipends out of the Kings *Exchequer.* They are all to be Gentlemen at the least; and the Six Heralds are expressly made Esquires by the King, when they are created Heralds.

Antiently, the Kings at Arms were Created, and solemnly Crowned by the Kings of *England* themselves, and the Heralds and Pursuivants had their Creations from the Kings Hand; but of later times the Earl Marshal hath had a special Commission for every particular Creation, and to do all that before was done by the King.

For the Creating and Crowning of *Garter* King at Arms, there are first to be provided a Sword and a Book, whereon to take a Solemn Oath; then a Gilt Crown, a Collar of S's, a Bowl of Wine, which Bowl is the Fee of the new created King; also a Coat of Arms of Velvet richly embroidered: His Creation is on this manner; First, he kneels down before the Earl Marshall, and laying his hand on the Book and Sword, another King at Armes reads the Oath; which being taken, and the Book and Sword kissed; next are read the Letters Patents of his Office; during which the Earl Marshal poures the Wine on his head, and gives him the name of *Garter*; then

then puts on him the Coat of Arms and Collar of S^t^s. and the Crown on his head.

The Oath is to obey, first, the Supreme Head of the most Noble Order of the Garter, and then the Noble Knights of that Order, in such things as belong to his Office, to inquire diligently of all the Noble and notable Acts of every Knight of this Order, and therefore to certifie the Register of that Order, that he may record the same, and to give notice to the King, and the Knights of the Order, of the death of any of that Society: to have an exact knowledge of all the Nobility, to instruct Heralds and Pursuivants in doubts concerning the Office of Arms; to eschew and avoid all persons of ill reputation; to be more ready to excuse then to blame any Noble Person, unless called by Authority to witness against them, &c. This Officer hath a double Salary, double to the two other Kings, and hath moreover Fees at the Installments; yearly wages given by the Knights of the Garter, hath the uppermost Garment at their Installments, &c.

The two Provincial Kings at Arms, *Clarentius* and *Norroy*, are created by Letters Patents, a Book, a Sword, &c. as *Garter*, and with almost the same Ceremonies.

A Herald at Arms is also created with the like Ceremony; onely his Coat of Arms must be Sattin, embroidered and enricht with Gold, and must be brought in with two Heralds, as the King at *Arms* are by two Kings at *Arms*.

They

They take a solemn Oath to be true to the King, to be serviceable to Gentlemen, to keep secrets of Knights, Esquires, Ladies, and Gentlewomen; to assist distressed Gentlemen and Gentlewomen, Widows and Virgins; to avoid Taverns, Dicing, and Whore-houses, &c. Pursuivants at Arms are created also by Letters Patents, a Book, a Bowl of Wine, and a Coat of Arms of Damask, and to be brought in, as the Heralds, before the Earl Marshal, or his Deputy; and to swear in solemn manner to be true to the King, to be serviceable to all Christians, to be secret and sober, to be more ready to commend then to blame, to be humble, lowly, &c.

This Office, since the late dreadful Fire, is held in the Queens Court at *Westminster*, where are some always waiting, to satisfie comers touching Descents, Pedigrees, Coats of Arms, &c. as was formerly done at the forementioned House up in *London*, which is now begun to be rebuilt by the Members of the Colledge, and (it is hoped) may in a short time, by the bountiful Contributions of all men that have any sense of Honour remaining, be compleated, to the Glory of this City and Kingdom.

All of this Colledge, being the Kings sworn Servants, the Reader may find a List of their Names, in the First Part, *about the Kings Court.*

Gresham Colledge. Within the Walls of *London* also is seated a Colledge, built by the forementioned worthy

worthy perſon Sir *Thomas Greſham*, and indowed in manner following: After he had built the *Royal Exchange*, he gave the Revenue thereof, the one Moity to the Mayor and Commonalty of *London*, and their Succeſſors; and the other Moity to the Company of Mercers in truſt, that the Mayor and Aldermen ſhould find in all time to come, four able perſons to read within this Colledge, Divinity, Geometry, Aſtronomy, and Muſick, and to allow to each of them, beſide their fair Lodging 50 *l.* a year. And that the Company of Mercers ſhould find three more able men, to read Civil Law, Phyſick and Rhetorick, and to allow to each one of them beſides fair Lodgings 50 *l.* a year. And that theſe ſeveral Lecturers ſhould read in Term-time, every day in the week (except Sundayes) aforenoon in Latine, and afternoon the ſame in Engliſh: The Muſick Lecture to be read only in Engliſh.

The Profeſſors or Fellows of this Colledge have ever been, and ſtill are perſons of the choiſeſt Parts, and are at preſent theſe that follow: For Divinity Mr. *Giffard*, for Aſtronomy, Dr. *Pope*, for Geometry Mr. *Robert Hook*, who hath alſo a Mechanick Lecture for Natural Philoſophy, lately inſtituted by Sir *John Cutler*, yet living, with a Salary of 50 *l. per annum*, to be read at the time and place where the Royal Society ſhall meet. Next the Muſick Lecturer, is Sir *Thomas Banes*: for Civil Law Doctor *Clerk*; for Phyſick Doctor

Goddard, and for Rhetorick Mr. *Jenks*.

Divers other worthy Works were done by that most Noble Citizen Sir *Thomas Gresham*, as can testifie his Almes-House in *Broadstreet*, the considerable sums of Money distributed quarterly for ever, to five Prisons and four Hospitals in and about this City.

There is also within *London* another called *Sion Colledge*, Founded by *Thomas White* Doctor in Divinity, for the use of the Clergy of *London*, and of the Liberties thereof; and a part thereof to be for 20 poor people; to perform all which, he gave 3000*l*. and for the maintenance of those poor he setled 120*l*. a year for ever, and 40*l*. a year for a Sermon in Latine, at the beginning of every quarter, and a plentiful Dinner for all the Clergy that shall then meet there. In this Colledge is a very spacious Library, built by *John Sympson*, Rector of Saint *Olaves Hartstreet*, and one of the said Doctor *Whites* Executors, and by the bounty of divers Benefactors, this Library hath been well furnished with Books, chiefly such as are useful for Divines. This Colledge felt the rage of the late Fire, but is almost repaired again.

A little without the Walls stands another Colledge or Collegiate House, called anciently the *Chartreuse*, now corruptly the *Charter-House*, it being heretofore a Covent of *Carthusian Monks*, called in French

French *des Chartreux*. This Colledge called also *Suttons Hospital*, consists of a Master or Governor, at present *Matthew Clifford* Esq; a Chaplain, *Doctor Patrick*, a Master and Usher to instruct 44 Scholars; besides fourscore decayed Gentlemen, Souldiers and Merchants, who have all a plentiful Maintenance of Diet, Lodging, Clothes and Physick, &c. and live altogether in a Collegiate manner, with much cleanliness and neatness: and the four and fourty Scholars have not onely all necessaries whilst they are here taught, but if they become fit for the *Universities*, there is allowed unto each one, out of the yearly Revenues of this Colledge 20 *l.* yearly, and duly paid for eight years after they come to the University, and to others fitter for Trades, there is allowed a considerable Sum of Money to bind them Apprentices. There are moreover all sorts of Officers expedient for such a Society, as Physitian, Apothecary, Steward, Cooks, Butlers, &c. who have all competent Salaries. This vast Revenue and Princely Foundation, was the sole Gift of an ordinary Gentleman, Mr. *Thomas Sutton*, born in *Lincolnshire*: and 'twas of such high Account, as it was thought fit, that by the Kings Letters Patents, under the Great Seal, divers persons, of the highest Dignity and Quality in Church and State, should always be the Overseers and Regulators of this Society, as the Archbishop of *Canterbury*, the Lord Keeper, Lord Treasurer, and Thirteen others.

Besides there are in *London* divers endowed Schools, which in *France* would be stiled Colledges; as *Paul's* School, founded 1512, by *John Collet*, Doctor of Divinity and *Dean* of *Pauls*, for 153 Children to be taught there *gratis*, for which purpose he appointed a Master, a Sub-master or Usher, and a Chaplain, with large stipends for ever, committing the oversight thereof to the Masters, Wardens, and Assistants of the Mercers in *London*; for his Father *Henry Collet*, sometime Lord Mayor of *London*, was of the *Mercers Company*. This famous School was also lately burnt down, and is now reedified in a far more magnificent, commodious and beautiful manner, the worthy Master thereof is Mr. *Gale*.

There are in *London* divers other endowed Schools, as Merchant Taylors, Mercers-Chappel, &c. a particular Account whereof, the designed Brevity of this Treatise will not admit.

It would also make this Book too much swell, to give an Account of the many richly endowed Hospitals, Almes-houses, Work-houses, or houses of Correction, the many stately built Taverns, Inns, and Coffee-houses, some whereof surpass all others in Forreign parts, and are worthy to be viewed by curious Travellers, who may also find it worthy their pains, to remark the several spacious well built Theaters, which for variety of Scenes, excellent Actors, Language, Designs, Musick, &c. are hardly

hardly to be equalled: Moreover they may observe the many fair Market-places abundantly furnisht with all variety of Victuals, four times every week, the weekly Horse fairs, the great commodiousness of Hackney Coaches, of Sedans, of Boats, &c. The mighty chargeable and beautiful Work, of rendring Navigable the Fleet Brook, from the River of *Thames* up to *Hilborn Bridge*, the curious Stone Bridges over it, the many huge Vaults on each side thereof, to Treasure up *Newcastle* Coal for the use of the poor. The costly *Bow Tower* in *Cheapside*, which for Height, Solidity, Architecture, and a Ring of Bells, will probably be one of the best in *England*. The neatly wrought Conduit in the Market place, at the West end of *Lumbard street*, whereupon is placed a very magnificent Statute of King *Charles* the Second on Horseback trampling upon an Enemy, all in excellent White Marble, at the sole cost and charges, of that worthy Citizen and Alderman of *London*, Sir *Robert Viner* Knight and Baronet; also to consider, the City of *Westminster*, and the Burrough of of *Southwark*, both which seem now to be swallowed up in *London*, whereof let this brief Account following suffice.

Within the Precincts of *Westminster* are many Magnalia, several things are as remarkable as any aforementioned: the antient stately Abby Church, founded before the *Norman* Conquest, by the Pious *Westminster.*

King *Edward* the Confessor, and most richly endowed; afterwards rebuilt from the ground by *Henry* the III. with that rare Architecture now seen, wherein are the most magnificent Tombs and Monuments of our King- and Queens, of our greatest Nobles, and famous Worthies of *England*. To the East end of which is added a Chappel of King *Henry* the VII, which for the most admirable Artificial Work without and within, for a Monument of massy Brass, most curiously wrought, is scarce to be paralleld in the World.

This huge Fabrick stands where first was the Temple of *Apollo*, and afterwards King *Sebert*, the East Saxon King, that first built St. *Pauls* aforementioned, built here a Church to St. *Peter*.

Queen *Elizabeth* converted this Abbey into a Collegiate Church, and therein placed a Dean, 12 Secular Canons or Prebendaries, Petty Canons and others of the Quire to the number of 30, ten Officers belonging to the Church, as many Servants belonging to the Collegiate Dyet, two Schoolemasters, 40 Scholars, 12 Almesmen, with plentiful maintenance for all, besides Stewards, Receivers, Registers, Collectors and other Officers; the principal whereof is the High Steward of *Westminster*, who is usually one of the prime Nobility, and was the late Lord Chamberlain. The Dean is entrusted with the custody of the *Regalia* at the Coronation, honoured with a place of necessary service

at

at all Coronations, and a Commission of Peace within the City and Liberties of *Westminster*; the Dean and Chapter invested with all manner of Jurisdiction, both Ecclesiastical and Civil, not onely within the City and Liberties of *Westminster*, but within the Precincts of St. *Martin le grand*, within the Walls of *London*, and in some Towns of *Essex* exempted in the one, from the Jurisdiction of the Bishop of *London*; and in the other, from that of the Archbishop of *Canterbury*.

For Ecclesiastical Causes and probate of Wills, it hath a Royal Jurisdiction, Dr. *Richard Lloyd* is Commissary, from whom Appeal must be onely to the King in his High Court of Chancery, who thereupon issueth out a Commission of Delegates under the great Seal of *England*.

When the Convocation is adjourned from St. *Pauls* (for the conveniency of being nearer to the Parliament) to *Westminster*, the Bishops first declare (upon a Protestation made by the Dean there) that they intend not thereby to violate that high Privilege, viz. *That no Bishop or Archbishop may come there without leave of the Dean first obtained.*

There is also a fair Publick Library, free for all Strangers to study both morning and afternoon always in Term time.

Next this Church stood the Royal Palace, and usual place of Residence for the Kings of *England*, who ordinarily held

their Parliament, and all their Courts of Judicature, in their dwelling Houses (as was done at *Paris* by the King of *France*, in the Isle *de Nostre Dame*, and is done at this day at *Madrid* by the King of *Spain*) and many times sate themselves in the said Courts of Judicature, as they do still in their Court of Parliament.

A great part of this huge Palace was in the time of *Henry* the VIII. destroyed by fire, what remained, hath still been employed for the use of the Lords and Commons assembled in Parliament, and for the chief Courts of Judicature. The great Hall where these are kept, some say was built by King *William Rufus*, others by King *Richard* the II. about 300 years agoe, and for all dimensions is not to be equalled by any Hall in Christendom.

Moreover, Strangers and Forreigners may take notice of the extraordinary commodiousness, conveniency and situation of the present Royal Palace, and usual place of Residence of our Kings, called *Whitehall*, belonging heretofore to Cardinal *Woolsey*, seated between a noble Navigable River, and a most delectable Park; of the great Chamber there, called the *Banqueting-House*, the like whereof for spatiousness, Beauty, Peinture, and exact proportion, no King in *Europe* can parallel; of another Royal Palace, called *Saint James's*, of *Clarendon-House*, which, for situation, and an uniform solid Structure is admirable; of *Berkley-House*, of the many

stately

ſtately uniform Piles in S. *James's* Fields, of *Wallingford Houſe*, *Northumberland Houſe* and *York Houſe*, of *Britains* Burſe, or the *New Exchange*, a place excellently furniſhed with all kind of choice Commodities and Wares for Ladies of *York*, *Salisbury*, and *Worceſter-Houſes*; of the *Savoy*, a vaſt Building firſt erected by *Peter* Earl of *Savoy* and *Richmond*, Uncle to *Eleanor*, Wife to our King *Henry* the Third, who after purchaſed the ſame for her Son *Edmund*, Duke of *Lancaſter*, and is now a famous Hoſpital, built all of huge ſtone, and more like a Kings Palace; of another Royal Palace called *Somerſet Houſe*, built by *Edward* Duke of *Somerſet*, Uncle to King *Edward* the Sixth, of *Arundel*, *Eſſex*, *Exeter*, *Bedford*, *Leiceſter*, *Newport*, and *Southampton* Houſes, of the uniform ſtately Buildings, and forementioned large *Piazza's* or open places (for which the Cities in *Italy* are ſo highly eſteemed) in *Covent Garden*, *Lincolns Inn Fields*, and *Southampton* Buildings, not to be equalled in any of our Neighbor Countries.

Southwark.

As for the Borough of *Southwark*, granted by King *Edward* the Sixth, by his Letters Patents to the Mayor, Commonalty, and Citizens of *London*, called *The Bridge Ward* without, and governed by one of the Twenty Six Aldermen of *London*; it hath nothing much remarkable, only, that it is ſo rich and populous, that it pays more in a Subſidy to the King, and maders more

Men-

Men, then any other City in *England*, besides *London*.

Lastly, very remarkable also is the Campaign or Country on all sides of this great City, for the number of Royal Palaces, the multitude of stately Houses, and Gardens of Noblemen; the innumerable fair Summer Dwelling-Houses of the Wealthy Citizens; the pleasant fertile Meadows, enclosed Pastures and Corn Fields; the abundance of Nurseries and Seminaries, where are to be sold all sorts of Fruit-Trees, Flowers, Herbs, Roots, as well for Physick, as for Food and delight; the frequency, populousness, and wealthiness of the Villages, whereas the Campaigns about *Rome* and *Madrid*, are more like Deserts.

The Arms of the City of *London*, are Argent Cross-Gules, with the Sword of St. *Paul*, not the Dagger of *William Walworth*, as some have conceited; for this Coat did belong to this City before *Walworth* slew *Wat Tyler*, the Rebel, as Learned Antiquaries affirm.

Of

Of the Universities of England.

The *English* Universities are so famous beyond the Seas, and so much surpass all other in the World, that they abundantly deserve a larger account then can sute with the designed brevity of this Manual; however they shall not be passed over in silence.

Nothing was ever devised more singularly beneficial to Gods Church, and Mans happiness, then what our Ancestors have, to their eternal renown, performed by setting such vast Revenues, and erecting such admirable Structures for Learning, as our Universities do contain, and by providing thereby that choice parts after reasonable time spent in contemplation, may be called forth to act and practise in Church and State.

In the beautiful Fabrick of the Kingdom of *England*, the Two Eyes are the Two Universities *Oxford* and *Cambridge*, those Two Nurseries or Seminaries of Learning and Religion, which for number and magnificence of richly endowed Colledges, for liberal Stipends to all sorts of Publick Professors; for well furnished Publick and private Libraries, for large Charters, Priviledges and Immunities; for num-

number and quality of Students; for exact Discipline and Order, are not to be paralell'd in the whole World.

They were anciently called *Academiæ*, from a *Grove* so named near *Athens*, whither *Plato*, *Xenocrates*, and other Philosophers retired, for the study of *Sciences*.

Of later times they have been stiled *Universities*. *A professione Universalium Scientiarum & Artium liberalium.*

An *University* now is properly an *Incorporation* (under one Government) of many Publick Schools, ordained especially for the Study and Profession of *Divinity*, *Civil Law* and *Physick*, and also of *Philosophy*, and of other Liberal Sciences and Arts, as Hand-Maids to the former.

Oxford, *Quasi* Ouseford, *Usela Vadum*, the name of the chief River whereon it is seated or perhaps from *Bovis Vadum*, a Ford for Oxen to pass through before the use of Bridges, as *Thracius Bosphorus* signifying the like, is by the *Germans* called *Ochsenfurt*.

It is seated at the meeting of two clear Fishy Rivers, in such wholsome Air, and pleasant rich Soyl, that it hath anciently been called *Bellositum Bellosis* or *Beauchew*.

It lies 51 Degrees, 40 Minutes Latitude, and almost 22 Degrees Longitude, almost in the same Climat with that most ancient famous City and University of *Athens*, that once fruitful Mother, and careful Nurse of many Arts and Sciences, and beneficial Inventions.

Oxford

Oxford was a place of Publick Studies above Nine hundred years ago, and much Augmented (not founded) by the Learned *Saxon* King, *Alfred*, hath been very anciently reckoned the *Second University* amongst the Four Principal of *Europe*, whereof the others are, *Paris* in *France*, *Bononia*, now called *Bologna*, in *Italy*, and *Salamanca* in *Spain*: and although *Paris* hath usually been named in the first place, yet it hath been acknowledged to be *Omnis Propago*; and if *Paris* for a time was more flourishing, yet since, in many respects, it is excelled by this of *Oxford*.

Oxford is an antient City, consisting of two sorts of Inhabitants, *viz. Students*, and *Citizens*, living one amongst another, though wholly separate for Government, and Manners; for when former Kings of *England* perceived that they could not (as at *Paris*) be separated by a River, they thought best to disjoyn them, as much as might conveniently be, by Priviledges and whole manner of Government; so that there are not the same limits: for the University have them much larger, not the same stroke and authority of Justice, or Power of Magistrates; for the Chancellor of the University, and in his absence, his Vice-Chancellor, is not only in place, but in all Affairs of moment, (though concerning the City it self) Superior to the Mayor of the Town.

Nor are they governed by the same kind of Laws, for all Members of the *Univer-*

sity,

sity, are subject to the Vice-Chancellors Judicial Courts; which are ruled wholly by the Civil Law.

Over the *University*, next under the King, is placed the Extraordinary Magistrate called the Chancellour; who is usually one of the Prime Nobility, and nearest in favour with the Sovereign Prince, Elected by the Students themselves in Convocation to continue *durante vita*; whose Office is to take care of the Government of the whole *University*; to maintain the Liberties and Privileges thereof, to call Assemblies, to hear and determine Controversies, to call Courts, punish Delinquents, &c.

This great Honour is enjoyed at present by *James Duke of Ormond*, Lord Steward of the Kings Houshold.

The next in *Dignity* amongst the Officers of the University of *Oxford*, is the High Steward, who is nominated by the Chancellor, and approved by the University, and is also *durante vita*; whose Office is to assist the *Chancellor*, *Vice-Chancellor*, and *Proctors*, upon their Requests, in the Execution of their Places; also to hear and determine Capita Causes, according to the Laws of the Land, and Privileges of the University, so oft as the Chancellor shall require him.

This Honour is held by *John* Earl of *Bridgewater*.

The Third is the Vice-Chancellor, who is yearly nominated by the Chancellor, and

is

is commonly the Head of some Colledge. His *Duty* is in the Chancellors absence to do whatever almost the Chancellor might do if he were present. Moreover he takes care that Sermons, Lectures, Disputations, and other Exercises be performed, that Heretickes, Fanaticks, Nonconformists, Panders, Bands and Whores, &c. be expelled the University, and the Converse with Students; that the Proctors and other Officers and publick servants of the University, duly perform their Duty; that Courts be duly called, and Law Suits determined without delay; in a word, that whatever is for the Honour and Profit of the University, or may conduce for the advancement of good literature, may be carefully obtained. The present Vice-Chancellor is Doctor *Peter Mews*, President of *St. Johns* Colledge, now Bishop of *Bath* and *Wells*.

Fourthly, The two Proctors chosen every year out of the several Colledges by turns, these are to assist in the Government of the University, more particularly in the business of Scholastick Exercises, and taking Degrees, in searching after, and punishing all Violaters of Statutes, or Priviledge of the University, all Night Walkers, &c.

They have also the oversight of Weights and Measures, that so the Students may not be wronged.

They are at present Mr. *Vernon* of *Exeter* Colledge, and Mr *Crofwait* of *Queens* Colledge.

Next

Next in order is the Publick Orator, whose business is to write Letters, according to the Orders of the Convocation, or Congregation; also at the Reception of any Prince or great Person that comes to see the University, to make solemn Harangues, &c. He is now *Robert South*, Doctor in Divinity.

Then is the *Custos Archivorum*, or Keeper of Records, whose Duty it is, not only to collect and keep the Charters, Priviledges and Records that concern the University, but also to be always ready to produce them before the Cheif Officers, and to plead the Rights and Priviledges of the said University. This Office is now in the trust of Dr. *Wallis*.

Lastly, Is the Register of the University Mr. *Cooper*, whose Office is to Register all Transactions in Convocations, Congregations, Delegacies, &c.

Besides the forementioned Officers, there are certain publick Servants of the University called *Bedels*, from the *High Dutch Bitten*, or else from the *Low Dutch Beddan*, to summon, admonish, or pray; of these there are six, whereof three are called *Squire Bedels*, and carry large Maces of Silver Gilt; the other three are stiled *Yemen Bedels*, and carry large Silver Maces ungilt.

Their Office is always to wait on the Vice-Chancellor in Publick, doing what belongs to his place, and at his Command to seise any Delinquent, and carry him to Prison,

Prison, to summon any, to Publish the Calling of Courts or Convocations, to Conduct Preachers to Church, or Lecturers to Schools, &c.

Upon more solemn times and occasions, there is a Seventh that carries in his hand a Silver Rod, and is thence called the *Verger*, who, with all the other Six, walk before the Vice-Chancellor, and is ready to observe his Commands, and to wait on Grand Compounders, &c.

Other publick Servants of less note, shall be passed by.

Many Kings of *England* have been great Favourers of Learning, and esteemed it their Honour, to give or enlarge the Priviledges of the Universities.

By Charter of *Edward* the Third, the Mayor of *Oxford* is to obey the Orders of the Vice-Chancellor, and to be in subjection to him.

The Mayor with the Chief Burgesses in *Oxford*, and also the High Sheriff of *Oxfordshire*, every year in a solemn manner take an Oath, given by the Vice-Chancellor to observe and conserve the Rights, Priviledges, and Liberties of the University of *Oxford*.

And every year on the day of St. *Scholastica*, being on the Tenth of *February*, a certain number of the Principal Burgesses, publickly and solemnly do pay each one a Penny, in token of their submission to the Orders and Rights of the University.

No

No Victuals to be taken by the Kings Purveyors within five miles of *Oxford*, unless the King himself comes thither.

King *James*, of happy memory, honoured both Universities, with the privilege of sending each two Burgesses to Parliament.

It is none of the least Privileges belonging to the two Universities, that they are subject to the Visitation or Correction of none but the King, or whom he shall please to Commissionate.

By Charter of *Henry* 4, it is left to the choice of the Vice-Chancellor, whether any Member in the University there inhabiting, accused for Felony or High Treason, shall be tried by the Laws of the Land, or by the Laws and Customs of the University, though now where Life or Limb is concerned, the Criminal is left to be tried by the Laws of the Land.

No Students of *Oxford* may be sued at Common Law for Debts, Accounts, Contracts, Injuries, &c. but only in the Court of the Vice-Chancellor, who hath power to determine Causes, to imprison as aforesaid, to give corporal punishment, to excommunicate, to suspend, and to banish.

Anciently in *Oxford* (as now in most Universities beyond the Seas) the Students, without any distinction of habit, lived in Citizens Houses, and had meeting places to hear Lectures, and dispute. After that, there were divers Houses for Students onely to live together in Society (as now in the

the *Inns of Court* and of *Chancery* at *London*) and those places were called either *Inns*, from the *Saxon*, or *Hospitia* from the *French*, and at present are named Halls, where every Student lived wholly upon his own charges, until divers bountiful Patrons of Learning, in their great wisdom, thought best to settle for ever, perpetual Revenues in Lands and Houses, to maintain in Lodging, Diet, Cloaths, and Books, such Students, as by Merit and Worth, should from time to time be chosen, and to settle large Salaries for Professors to instruct them, and for a Head to govern them, according to certain Statutes and Ordinances made by the said Patrons or Founders. And these are called Colledges, whereof the first that endowed in *Europe*, were *University*, *Baliol*, and *Merton* Colledges in *Oxford*, all made Colledges in the Twelfth Century after the Birth of Christ; although *University Colledge* hath been reckoned a place for Students ever since the year Eight hundred seventy two, by the Royal Bounty of our aforesaid *Saxon* King *Alfred*, and was antiently called, *The University Colledge*, where were divers Professors, and all the Liberal Sciences Read.

Of such Endowed Colledges there are in *Oxford* Eighteen, and of Halls (where with the like Discipline, Students live upon their own means, onely excepting some certain Exhibitions, or Annual Pensions annexed to some one or two of them) there

are

are Seven; of all which, the Names and Governours, see the First Part of the *Present State of England*.

These Colledges have within their own Walls, Lectures, Disputations, all Professions and Liberal Sciences read and taught, and in some of them, Publick Lectures for all Comers, and large Salaries for the Readers; insomuch that they seem so many compleat Universities, and are not inferiour to some in our Neighbour Countries. *Lipsius* (whose Testimony among the Learned is very considerable) saith of one Colledge of *Oxford*, in his time, what might be said of some others there, and in *Cambridge*, *Non credo in orbe terrarum extra Angliam simile esse, addam, aut fuisse: Magnæ illic opes & vigilatia, &c. Verbo vis dicam, Unum* Oxoniense *Collegium* (rem inquisivi) *superat vel decem nostra.*

The whole number of *Students* in *Oxford* that live upon the Revenues of the Colledges,, are about One thousand; and of other *Students* about twice as many; besides *Stewards*, *Maniples*, *Butlers*, *Cooks*, *Porters*, *Gardners*, &c.

There were antiently in this University, before the Founding of Colledges, Two hundred *Hospitia Studiosorum*, *Inns*, *Hostels*, or *Halls*; and, as *Armachanus* writes, there were Thirty thousand *Students*; and Twenty miles round *Oxford*, were by the Kings of *England* set apart for Provision in Victuals for this City.

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The Discipline of these *Colledges* and *Halls*, is far more exact and excellent then in any *Forreign Universities*.

First, all that intend to take any Degree, are to take their Diet and Lodging, and have a Tutor constantly in some *Colledge* or *Hall*; then they are to perform all Exercises, to be subject to all *Statutes*, and to the *Head* of the House: Next, they are to be subject to the Chief Magistrate of the *University*, to perform Publick Exercise, and to be subject to the *Publick Statutes* thereof. They are to suffer themselves to be shut up by night in their several Houses. They are never to be seen abroad out of their Chambers, much less out of their *Colledges*, without their Caps and Gowns, (an excellent Order, no where observed in Forreign Parts but in *Spain*.) Their Gowns are all to be black, onely the Sons of the higher Nobility are herein indulged; and all *Doctors* are honoured with Purple, or rather Scarlet Robes, which antiently were allowed onely to *Emperors* or *Kings*; but now in *England*, besides the *King*, all *Peers* in *Parliament*, all *Doctors* in the *Universities*, all *Mayors* and *Governours* of *Cities*, and all the *Principal Judges*, are at certain times clothed in Scarlet.

The Degrees taken in the *University*, are onely two, *viz.* of *Bachelar* and *Master*, (for so they are antiently called, as well in *Divinity*, *Law*, and *Physick*, as in the *Arts*.) At present, the Degrees in those *Three Professions*, are called *Bachelars* and *Doctors*,

Doctors, only in the Arts, *Bachelar* and *Master*.

Every year, at the Act, or time of compleating the *Degree* of *Master*, both in the Three Professions and Arts (which is always the *Monday* after the Sixth of *July*) there are (unless some extraordinary occasion hinders) great Solemnities, not only for Publick Exercises, but Feastings, Comedies, and a mighty concourse of Strangers, from all parts, to their Friends and Relations, then compleating their *Degrees*, whereby, and by the set Fees it usually costs a *Doctor* of *Divinity*, Law, or Physick, about One hundred pound. *Sterling*, and a Master of Arts 20 or 30 *l. Sterling*.

In these Three Professions, and in the Arts, there proceed Masters or Doctors yearly about One hundred and fifty, and every *Lent* about Two hundred Bachelars of *Arts*.

The time required by Statute for Studying in the University, before the taking of the forementioned *Degrees*, because it is much longer then what is required in any Foreign University, shall here be set down more particularly.

To take the *Degree* of *Bachelar in Arts*, is required four years, and three years more for to be *Master of Arts*.

Now the year is divided into Four Terms, the First begins the 10*th*. of *October*, and ends the 17*th*. of *December*, and is called *Michaelmas* Term: the Second called

called *Hilary*, or *Lent-term*, begins the 14th of *January*, and ends the *Saturday* before *Palm-Sunday*: The Third called *Easter-Term*, begins the 10th day after *Easter*, and ends the *Thursday* before *Whitsunday*: The Fourth is called *Trinity-Term*, beginning the *Wednesday after Trinity-Sunday*, and ends after the Act sooner or later, as the Vice-Chancellor and Convocation think meet.

To take the Degree of *Doctor of Divinity*, the Student must necessarily, first, have taken the Degree of *Master of Arts*, and then after Seven years more, he is capable of being *Bachelar of Divinity*, and then Four years more is requisite before the Degree of *Doctor* can be had.

To take the *Degree of Doctor of Laws*, the more ordinary way is, in three years after *Master of Arts*, one may be capable of the *Degree* of *Bachelar*, and in four years more of *Doctor of Laws*; the like for *Doctor in Physick*.

The Exercises required for taking these *Degrees* are many, and difficult enough; yet not such but that may be performed in less time, by any Men of good Abilities: But it was the Wisdom of our *Ancestors* so to order, that before those *Degrees* were conferred upon any, and they allowed to practise; they might first gain Judgment and Discretion, which comes with Time and Years, and perhaps, that those of slower parts might, by Time and Industry, make themselves capable of that Honour, as well as those of quicker abilities.

To

To speak now particularly of the most magnificent and Stately *Publick Schools* in *Oxford*, of the large Salary to each *Publick Professor*, of the most famous *Bodlean Library*, that for a noble lightsome Fabrick, number of choice *Books*, curious *Manuscripts*, diverfity of *Languages*, liberty of *Studying*, facility of finding of any Book, equals, if not surpasses, the famous *Vatican*: To speak of the curious *Architecture*, and vast charges of the *New Theatre*, Fabricated by the most ingenious, Sir *Christopher Wren*, at the sole cost and charges of the most Reverend Father in God, *Gilbert*, the present Archbishop of *Canterbury*, for the use of *Scholastick Exercises*, and of those most excellent *Printing Presses* there. To speak of the beautiful, solid *Stone Buildings*, *Chappels*, *Halls*, *Libraries*, large *Revenues*, admirable *Discipline* of several *Colledges*, excellent accommodation for young *Noblemen* and *Gentlemen*, helps and allowances for *Poor Scholars*, *&c.* To describe the most delightful *Publick Physick Garden*, abounding with variety of choice Plants, and surrounded with stately *Stone-Walls*, at the sole Expences of the Right Honourable, *Henry* Earl of *Danby*, would require another Volume.

What hath been said of *Oxford*, the like may be said of Her Sister *Cambridge*, which for *Antiquities*, Gracious *Priviledges*, Beautiful *Colledges*, large *Revennes*, good *Discipline*, number of *Students*, plenty of *Diet*, and of all other things necessary for advance-

advancement of Learning (if in complaisance she will at any time give place to *Oxford*, yet at the same time) will challenge precedence before any other University of the Christian world.

The *University* of *Cambridge*, in some few particulars, differs from that of *Oxford*.

The Chancellor of *Cambridge* (at present the Duke of *Monmouth*) is not so *durante vita*, but may be elected every two years, *aut manere in eodem Officio durante tacito consensu Senatus Cantabr.* He hath under him a Commissary, who holds a Court of Record of Civil Causes for all priviledged Persons and Scholars under the Degree of Master of Arts, where all Causes are tried and determined by the Civil and Statute-laws, and by the Customs of the University.

They have also a High Steward chosen by the Senate, and holds by Patent from the University, is at present the Earl of *Craven*.

The Vice-Chancellor is at present Dr. *Spencer*, Head of *Corpus Christi* Colledge: This high Officer is chosen every year, on the third of *November*, by the Senate, out of two Persons nominated by the Heads of the several Colledges and Halls. Here note, That the Halls at *Cambridge* are endowed and priviledged as the Colledges, and differ onely in name.

The two Proctors are chosen every year, as at *Oxford*, according to the Circle of

Colledges and Halls, they are for this year Mr. *Smallwood*, Fellow of *Queens* Colledge, and Mr. *Ben Johnson*, Fellow of *Sidney* Colledge.

There are chosen after the same manner two, called *Taxers*, who with the Proctors have care of Weights and Measures, as Clerks of the Market.

The *Custos Archivorum*, or University-Register, is Mr. *Matthew Whinne*.

There are also three Esquire Beadles, one Yeoman Beadle.

This University, for the encouragement of Students, hath also divers Priviledges granted by several Kings of *England*. Every *Michaelmas day* the Mayor of the Town of *Cambridge*, at the entrance into his Office, takes a Solemn Oath before the Vice-Chancellor, to observe and conserve the Priviledges, Liberties, and Customs of this University. Moreover, on *Friday* before St. *Simon* and *Jude*, at a *Magna Congregatio* in St. *Mary* Church, allotted for the Assembly of the whole University, the Mayor brings with him two Aldermen, four Burgesses, and two of every Parish, to take their Oaths before the Vice-Chancellor for the due search of Vagabonds, Suspected Persons, &c. At the same time are sworn Fourteen Persons for the University, and Fourteen for the Town, to look to the Cleansing and Paving of the Streets.

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The Univerſity hath alſo a Court-Leet held twice every year, wherein are preſented all Nuiſances, &c.

In *Cambridge* there are no unendowed Houſes appointed for Students, as is in *Oxford*, and the Houſes endowed are no more then Sixteen, but thoſe generally ſo large, that the number of Students is commonly little different from that of *Oxford*.

Degrees at *Cambridge* are uſually taken as at *Oxford*, except in Law and Phyſick, whereof after ſix years they may take the Degree of Bachelar, and after five years more, that of Doctor.

In *Cambridge* the *Lent-Term* begins the 13*th* of *January*, and ends the *Friday* before *Palm-Sunday*. *Eaſter-Term* begins the *Wedneſday* after *Eaſter-week*, and ends the week before *Whitſuntide*. *Trinity-Term* begins the *Wedneſday* after *Trinity-Sunday*, and ends the *Friday* after the Commencement. *Michaelmas Term* begins the 10*th* of *October*, and ends the 16*th* of *December*.

The firſt *Tueſday* of *July* is always *Dies Comitiorum*, there called the Commencement, wherein the Maſters of Arts, and the Doctors of all Faculties compleat their Degrees reſpectively; and the Bachelars of Art do theirs in *Lent*, beginning at *Aſhwedneſday*.

Cambridge lies in 52 Degrees and 20 Minutes Northern Latitude.

Both theſe Univerſities are placed two eaſie days journey from the Capital

City, and about the same distance from each other.

These are the two glorious Fountains of Learning, to the Fame whereof Foreigners come on Pilgrimage to offer up Honour and Admiration; and yet, even these had lately been like to be dried up, by the over-heated zeal of some ignorant Fanaticks.

These are the chiefest Store-houses of Lettered men, which send forth yearly a great number of Divines, Civilians, Physicians, *&c.* to serve all parts of this Kingdom.

To supply these great Store-houses, there are in several parts of *England*, Grammar-Schools, whereof the principal are St. *Pauls*, *Westminster*, *Winchester*, *Eaton*, *Merchant-Taylors*, the *Charter-house*, all richly endowed, to maintain Masters, Ushers, and a certain number of Scholars; so that a Child once admitted into these Schools, if he become capable, may at length be preferred to be Scholar or fellow in some Colledge of one of these Universities, and will want little or no assistance from his Parents all his life-time after.

Besides these, there are of late Grammar-Schools, founded and endowed in almost every Market Town of *England*, wherein the Children of the Town are onely to be taught *gratis*, without any other allowance. But in the multiplying of these Schools, it may be doubted, whether there appeared not more Zeal then Prudence; for the Parents

Parents of such School-boys, not able to advance them to the Universities, all the rest, besides Reading and Writing, becomes useless; and the Youths, by Eight or Ten years lazy living, rendred unapt for the labour belonging to the more profitable Plough, and beneficial Manufactures, usually turn either Serving-men, or Clerks to Justices or Lawyers, whereby they learn much Chicanery, they become canning Petty-fogers, multiply Law-suits, and cozen their Countrey; or if perhaps they are set to Trades, the little smattering in Learning, got at the Grammar-School, renders them commonly proud, stiff-necked, self-conceited, unapt to be governed, apt to embrace every new Doctrine, Heresie, Schism, Sect and Faction: Or in case their Parents are able to put them to the University, yet for want of sufficient maintenance and residence there, they get onely to be half learned, and thereby a propensity to preach Faction, Sedition, and Rebellion, to seduce those that are more ignorant then themselves, as was evident in our late unhappy troubles, where it was observed, that the *Seducers* were generally such, as had been from those Market-Latin-Schools, advanced to be either Commoners or Servitors, for a short time in the University (and not Fellows of Colledges) and the *Seduced*, ordinarily, such as from these Schools became afterward Shop-keepers, or Petty-foggers. If such had been endowed with more, or perhaps with less knowledge, they had probably

been much more Humble, Loyal, and Obedient to their Governours, both Civil and Ecclesiastical: And therefore, the late King of *Spain*, consulting with his ablest Counsellors of State for a general Reformation of matters, that were found, by experience, to be inconvenient and prejudicial to his Kingdom, after mature deliberation, came to this resolution, That amongst other abuses, the great number of Countrey Grammar-Schools, should by a solemn *Prematica*, or *Ordinance*, be diminished, and the Childrens time better employed at Manufactures, Trades, Husbandry, &c. Besides, upon serious consideration, it will be found, that *England* is over-stocked with Scholars, for the proportion of its Preferments, & for its employments for Lettered Persons, whereby it comes to pass, that too many live discontented, longing for Innovations and Changes, and watching for an opportunity to alter the Government both of Church and State.

Thus the *Reader* hath had a small Map of a great Monarchy, the most just and easie, that ever any People lived under, (except only those who lived in *England*, before the late unparallel'd Rebellion) and many ways more happy then that which the great and good States-man, *Philip Comines*, so much admired in his days, when he declared (after he had much commended the Policy of the *Venetian* Common-wealth) That amongst all the Seigneuries in the World, *England* was the Countrey where

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the State was beſt ordered, and where there was the leaſt violence and oppreſſion upon the People.

The *Reader* may here take notice, that a brief Account was intended to be given of all the reſt of His Majeſties Kingdoms, Dominions, Countreys, Territories, Plantations and Places; which ſhall be reſerved for another oportunity: onely at preſent, *mantiſſa loco*, ſhall follow a Catalogue of all the Governours conſtituted by His Majeſty in Foreign Parts, together with all the Ambaſſadours, Envoys, Reſidents, Conſuls and Agents, at this time employed abroad.

After *England*, the antient Kingdom of *Scotland* hath the precedence, the chief Governour whereof under His Majeſty, is the Lord Chancellor of *Scotland*, who by that Title enjoys the ordinary Power and Authority of a Vice-Roy, and is at preſent the Right Honourable, *John* Earl of *Rothes*.

The next is the Kingdom of *Ireland*, the Governour whereof is the Right Honourable, *Arthur* Earl of *Eſſex*, who by the Title of Lord Lieutenant, is as Vice Roy of *Ireland*, and lives with more Splendour and Grandeur, then perhaps any other Vice-Roy of *Europe*.

Other Dominions belonging to the King of *England*, which either for number of People or large extent, may as well deſerve the name of Kingdoms, as divers Countreys, which under the King of *Spain* have long enjoyed that Title, as *New-England*, *Virginia*,

nia, Jamaica, &c. but our Kings have never affected those swelling Titles.

The Governours, or Deputy-Governours of these and the rest of His Majesties Territories at present, are as followeth;

New-England, Richard Bellingham, *Esq.*
Virginia, *Sir* William Berkley.
Jamaica, *the Lord* Vaughan.
Barbadoes, *Sir* Jonathan Atkins.
Bermudos, *Sir* John Heydon.
New-Netherland, now *New-York*, *Maj.* Edmund Andros.
New-found-Land.....
St. Christopher, and the *Leeward Islands*, *Col.* Stapleton.
Carolina, *Sir* John Yeoman.

In the East-Indies.

Bombaim, *Mr.* Anger.
Fort St. George, *Mr.* Foxcroft.
Bantam, *Mr.* Dacres.

In *Africa*.

Tangier, at present void of a Governour by the late unhappy death of that Excellent Commander, the Earl of *Middleton*.
Guinea.....
Jersey, *Sir* Thomas Morgan.
Garnsey, *Lord* Hatton.

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A List of Ambassadors, Envoys, Residents, and Consuls.

France, *Sir* William Lockhart, *Kt. Ambassador.*
Spain, *Sir* William Godolphin, *Amb.*
Sweden, *Sir* Edward Wood, *Envoy Extraordinary.*
Denmark, *Sir* John Paul, *Resident.*
Hanse-Towns, *Sir* William Swan, *Resident at Hambrough.*
Lisbon, Mr. Parry, *Agent.*
Venice, *Sir* Thomas Higgens.
Constantinople, *Sir* John Finch, *Ambassadour Ordinary.*

Consuls.

Aleppo, Mr. Lannoy.
Smirna, Mr. Ricaut.
Zant, *Sir* Clement Harby.
Argiers, Mr. Ward.
Tunis, Mr. Erlyman.
Tripoli, Mr. Bradleigh.
Messina.
Naples, Mr. Davies.
Leghorn, Mr. Ephraim Skinner.
Genoua, Mr. Legat.
Marseilles.
Alicant.

Malaga.

Malaga.
Cadez, Sir Martin Westcomb.
Sivil.
Canaries, Mr. Webber.

FINIS.

Thomas Phillips
Born November
the 12 [illegible]
at [illegible] Clock in
the Afternoon
Leicester [illegible]
1190